



RELLIS Academic Alliance Campus 2023 Campus Security Report*

Includes crime and fire statistics for 2020, 2021, 2022, and policy statements and procedures 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.

This Annual Security Report is available on the West Texas A&M University Campus Safety and Security website at: www.wtamu.edu/safety



Numerous links to websites are included. Email kczesnowski@wtamu.edu for assistance if any link does not function.

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Office of the President

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A Message from the President

Our purpose – our calling – is to provide life-changing opportunities for students. This happens in many ways around the campus: in classrooms, laboratories, studios, theaters, performance halls, and arenas. In addition, our gathering spaces inside and outside of buildings, as students, faculty, staff, and visitors alike, move to and from during the course of the day, are all “places of learning.”

To the extent that people are safe, and feel safe, learning will be enhanced. The City of Canyon was recently recognized as the safest college town in Texas and the 21st safest college town in America. Campus and community are deemed safe as the result of tireless and persistent efforts on the part of public officials and public safety personnel, and equal in importance, each and every one of us as we are mindful of the significance of a safe environment and the role we play in sustaining it.

Complacency would diminish that which we diligently seek.

I urge all of us to continue to attend to our needs for a safe and secure learning environment that supports study so that we might best fulfill the aspirations of our students and the calling we answer.

On, On Buffaloes!

Walter V. Wendler
President

West Texas A&M University

RELLIS Academic Alliance Campus

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).

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 TAMUS; 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 TAMUS. 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 2022 (WTAMU) RELLIS Campus Annual Security Report includes 2020, 2021, and 2022 crime statistics.

West Texas A&M University (WTAMU) recognizes the RELLIS Campus as a separate campus per The Clery Act. The West Texas A&M University Police Department (UPD) and the WTAMU Clery Compliance Committee 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 contains three years of selected campus crime statistics and certain campus security policy statements for the 2023 – 2024 academic year in accordance with The Clery Act. WTAMU first had students on the RELLIS campus beginning the fall of 2018. An email notification, which provides website access to this report, is made available annually before the October 1 deadline.

Policy statements in this Annual Security Report are relevant to West Texas A&M University (WTAMU) students, faculty, and staff located at the RELLIS campus unless otherwise stated. RELLIS Academic Alliance students and employees not enrolled or employed by WTAMU, 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 WTAMU students enrolled in classes at the RELLIS campus is delegated to the RELLIS Student Code of Conduct.

The West Texas A&M University Police Department (UPD), office of Civil Rights, The Texas A&M University System (TAMUS), RELLIS personnel and others compose the Annual Security Report and statistical information with input from various sources and other campus personnel.

Annual Security Report Notifications

Each year, an e-mail notification is distributed to all current students, faculty, and staff network email addresses providing the website to access this report. The full report can be found at www.wtamu.edu/safety.

Prospective employees are notified of the availability of the Campus Security Fire Safety Report on the "Job Vacancies" webpage of the Human Resources – [Employment](#) website.

Prospective undergraduate students are notified of the availability of the Campus Security and Fire Safety Report through a return compliance email distributed after applying through the [ApplyTexas One Application](#) and selecting WTAMU.

Prospective graduate students are notified of the availability of the Campus Security and Fire Safety Report after clicking the *WTAMU Graduate School Application* link on the WTAMU Graduate School webpage. Applicants will receive a return compliance email with the necessary notification after applying through the [ApplyTexas One Application](#) and selecting WTAMU.

Printed copies of the report may be requested by contacting:

University Police Department Clery Compliance Officer
Old Sub Building 102, 806-651-2300
PO Box 60295, Canyon, TX 79016
Email: kczesnowski@wtamu.edu

Campus Law Enforcement Policies

Police Department Overview

An infrastructure agreement is in place between the TAMUS and Texas A&M University (TAMU) to provide primary police and security service at RELLIS through the Texas A&M University Police Department (TAMUPD). TAMUPD uniformed police officers provide patrol 24-hours a day, year round at the main campus located eight miles from the RELLIS campus and are available to respond to the RELLIS campus. In addition, TAMUPD security personnel patrol the RELLIS campus each evening, including weekends, for an eight hour period beginning at dusk.

A Memorandum of Understanding (MOU) is established between the Blinn College Police Department (BCPD) and the TAMUPD to coordinate police service for the Academic Alliance and RELLIS. During normal business hours, BCPD provides a police officer dedicated to facilities at RELLIS that are occupied by Blinn students and employees and the RELLIS campus in general. The Blinn police officer is 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

TAMU PD 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, TAMUPD's armed police officers have the same full authority to detain and arrest as municipal police officers. UPD 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 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

TAMUPD is computer linked to city, state and federal criminal justice agencies, which provide access to criminal records, wanted persons, stolen property, and vehicle information. All crimes occurring at RELLIS should be reported to TAMUPD or submitted to TAMUPD from BCPD officers or security.

TAMUPD investigates and refers crimes for prosecution through the Offices of the County Attorney and 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 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 may be provided information regarding student non-campus criminal activity, including student organizations with non-campus housing.

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

TAMUPD's working relationships with local law enforcement agencies are maintained through a written mutual aid agreement. The agreements allow for cooperation in the performance of police protection including the investigation of alleged crimes, enforcement of laws, and communication between agencies pursuant to the agreement.

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

There are no non-campus locations associated with the RELLIS 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, UPD, TAMU 1231, College Station, Texas 77843-1231.

Reporting Crimes

Incident Reporting and Response

Any on-campus emergency at RELLIS should be reported immediately to TAMU PD 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 call 979-845-2345 from an off campus phone, campus payphone, or cell phone. 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.

TAMU PD 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 TAMU PD Records Unit for a time period mandated by institutional and state records retention policies.

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

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 TAMU PD 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:

RELLIS Assistant Provost & Title IX Coordinator (for RELLIS Academic Alliance), 979-317-3404, Academic Complex Building 1, Room 117J, RELLIS campus

All employees of WTAMU are trained through on-line training and designated as Campus Security Authorities (CSA) by the President of WTAMU and are required to report violations of federal, state and local laws and other emergencies. These violations as well as any public safety related incidents must be promptly reported to TAMUPD Police at RELLIS for investigation or disposition.

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>.

Campus Law Enforcement Telephone Directory:

Emergencies-from on campus phones/Police/Fire/Medical	911 or 9-911	Non-Emergencies/General Assistance	979-845-2345
Blinn Police at RELLIS	979-209-7600	TAMUPD Police at RELLIS	979-845-2345

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.

This annual report includes statistics on reported crimes, arrests and referrals for violations that occur on the RELLIS campus on public property contiguous to campus boundaries. All reported violations that have taken place in these designated areas during the previous three years, whether or not a WTAMU student, faculty, or staff member was involved, are reflected in the report. The report is made available to prospective students and employees as well as current students, faculty, and staff.

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.

Persons who are designated by the institution as a person with whom students may speak confidentially, are identified specifically as student counselors, while performing their duties as a student counselor for Student Counseling Services, pastoral counselors, and the director of student medical services. These individuals are exempt from mandatory reporting; however they are required to report the incidents to the Title IX Coordinator without details that could violate a student's expectation of privacy.

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.

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 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). Reports submitted anonymously or with limited information may restrict the team’s ability to follow up on the incident.

Timely Warning Notice

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

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.

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, Texas A&M University 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.

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, major incidents of 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.

TAMU PD 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, or 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 UPD, by phone (979-845-2345) or in person at TAMU PD ([1111 Research Parkway, College Station, TX 77843](#)). BCPD 979-209-7600 and TAMU PD 979-845-2345 can also be contacted and/or dispatched to RELLIS by phone. The UPD 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.

It is important to note that in some cases law enforcement may need to withhold some facts if releasing the information would compromise an ongoing investigation or the identity of the victim. Victim names and other identifying information of victims are never included in Crime Alerts. An institution is not required to provide a timely warning with respect to crimes reported to a pastoral or professional counselor.

Emergency Response and Evacuation Policy

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

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.

Emergency Notification System

The TAMU PD 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 university-owned computers, Twitter, RSS, and a mobile app. 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 TAMU PD 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 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 TAMUPD, 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.

Employees authorized to make a final determination of a significant emergency or dangerous situation and determine the content of a Code Maroon (and Blinn Alert) are: TAMUPD Chief of Police, TAMUPD Assistant Chief(s) of Police, TAMUPD Patrol Supervisors (or TAMUPD officer designated by TAMUPD Patrol Supervisor), Associate Vice President for Safety and Security, Environmental Health and Safety Director, Environmental Health and Safety Assistant Directors, Emergency Management staff, 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 designated individual will send the Code Maroon alert (and Blinn Alert).

In circumstances where time is of the essence, certain employees 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. These employees include: TAMUPD Chief of Police, TAMUPD Assistant Chief(s) of Police, Associate Vice President for Safety and Security, Emergency Management staff, and TAMUPD Dispatchers. An example of such an urgent message could include a Code Maroon message issued for a tornado or for an active shooter.

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.

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 TAMU PD Chief of Police, TAMU PD Assistant Chief(s) of Police, TAMU PD Patrol Supervisors (or TAMU PD officer designated by TAMU PD Patrol Supervisor), and TAMU PD 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).

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.

RELLIS Alert publishers include: TAMU PD Dispatchers, TAMU PD Chief of Police, UPD Assistant Chief(s) of Police, RELLIS Associate Director of Operations, and RELLIS Assistant Director of Environmental Health and Safety (emergency management). In the event of a system problem, certain trained individuals from the Texas A&M University Division of Information Technology, the RELLIS Chief Information Officers, or the TAMUS Assistant Director of Environment, Safety & Security can be called upon to send a RELLIS Alert. TAMU PD Dispatchers are the designated individuals at Texas A&M University to send Blinn Alerts.

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

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.

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.

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

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.

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 TAMU PD 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.

Emergency Preparedness

The Director of the RELLIS Campus has primary responsibility for emergency preparedness at the RELLIS campus. Duties and responsibilities range from working with departments to write and exercise building evacuation plans, to developing and maintaining emergency plans as deemed necessary.

The RELLIS campus [Emergency Operations Plan](#) is the primary plan that describes the general framework for emergency response at the campus. The Emergency Operations Plan coordinates and integrates all necessary resources to prevent, protect, mitigate, respond to and recover from emergencies that affect the RELLIS campus and its constituents. It 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 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 Environment, Safety & Security.

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 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 will 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.

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 will communicate information about accessing the RELLIS Emergency Operations Plan and emergency contacts. A RELLIS Alert test distribution may also be used to publicize this information the RELLIS campus community.

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>

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 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.

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 who live or work 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 UPD 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 and Fire Log

Each business day, the Assistant Director of 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 at the Academic Complex, Phase 1 Bldg., Room 106F located at 1425 Bryan Ave., Bryan, TX 77807, or obtained by calling 979-317-3404. The copy is reprinted on working business days as updates occur. The RELLIS crime log is published online at: <https://rellis.tamus.edu/clery/>.

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 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. (*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 TAMUPD's Community Services Unit, upon request, will prepare a security survey of the facility to determine security coverage and appropriate access control.

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.

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, may be limited to authorized personnel at various times. Card swipe systems, locks and other means may be employed to limit access. Information about access to a specific facility can be obtained from the proctor for that facility. University Police Officers 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, WTAMU reviews its programs, services, and policies to prevent unlawful possession, use, or distribution of alcohol and illicit drugs. The results of the biennial review are published at [Biennial Review](#) of Alcohol and Other Drug (AOD) Program. Consumer Information is made available at [Consumer Information](#).

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 TAMUS strictly prohibits the unlawful manufacture, distribution (including sales), possession, or use of alcohol on TAMUS property, while on official duty, and/or as part of any TAMUS 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 TAMUS 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.

Many resources are available to students taking classes at the RELLIS Campus. If you have questions about a service not listed here, please contact a RELLIS representative by emailing us at Education@RELLIS.tamus.edu or calling 979.317.3400. Also visit [RELLIS Resource List](#) and [RELLIS Health & Wellness Resources](#) for help lines and specific links on related topics.

The Work/Life Solutions Program by GuidanceResources (1-866-301-9623) manages the alcohol, drug abuse, and rehabilitation program for WTAMU faculty at AA and provides licensed counseling and referral services. Website: <http://www.guidanceresources.com>.

RELLIS staff are employees of the TAMU System and receive TAMU System counseling and referral services from Work/Life Solutions Program by GuidanceResources as listed just above.

Illegal Drugs 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 result in criminal charges/arrest by UPD 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.

Many resources are available to students taking classes at the RELLIS Campus. If you have questions about a service not listed here, please contact a RELLIS representative by emailing us at Education@RELLIS.tamus.edu or calling 979.317.3400. Also visit [RELLIS Resource List](#) and [RELLIS Health & Wellness Resources](#) for help lines and specific links on related topics.

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RELLIS staff are employees of the TAMU System and receive TAMU System counseling and referral services from Work/Life Solutions Program by GuidanceResources as listed just above.

Resources related to AOD

National Institute of Drug Abuse www.drugabuse.gov

National Institute on Alcohol Abuse and Alcoholism www.niaaa.nih.gov

Weapons Policy

The following weapons policy applies at the RELLIS campus.

In accordance with [Texas Penal Code Ch. 46.03](#), it is a felony to intentionally, knowingly, or recklessly possess a firearm, location restricted knife, club, or prohibited weapon on the physical premises of a school or educational institution, to include any grounds or buildings on which an activity sponsored by the school or educational institution is being conducted, or a passenger transportation vehicles under the direct control of the educational institution. The following exception applies. A license to carry holder under Chapter 411, Texas Government Code, may carry a concealed handgun on or about the license holder's person while the license holder is on the 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](#). The open carry of handguns on TAMUS offices' land or premises is prohibited ([TAMUS Rule 34.06.02.S1](#)).

Sexual Assault, Dating Violence, Domestic Violence, and Stalking

In accordance with federal law and [Texas A&M University System Regulation 08.01.01 Civil Rights Compliance](#) (System Regulation 08.01.01), [WTAMU Civil Rights Compliance 08.01.01.W1 RELLIS Civil Rights Compliance 08.01.01.S1](#) prohibits discrimination and harassment including sexual assault, dating violence, domestic violence, stalking, (as those terms are defined for the purposes of the Clery Act) and/or related retaliation. The following are statements of policy that address discrimination, harassment (including, but not limited to, sexual harassment¹ and sex-

¹ Sexual harassment is a form of sex discrimination. Unwelcome conduct on the basis of sex (of a sexual nature or otherwise): (1) by an employee of the university who conditions the provision of an aid, benefit, or service of the university on an individual's participation in that unwelcome

based misconduct²), complicity, and retaliation³. The policies apply whether this conduct occurs on or off campus and when notice of potential misconduct is received by university.

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

Individuals have the option of notifying on-campus and local law enforcement authorities to report sexual assault, dating violence, domestic violence, or stalking. Below is a list of local law enforcement agencies. Reports should be filed with the agency 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
Emergency	911

sexual conduct; (2) determined by a reasonable person to be so severe and pervasive and objectively offensive that it effectively denies a person equal access to the university's education program or activity; or (3) sexual assault, dating violence, domestic violence, or stalking based on sex. For the purposes of defining sexual harassment specified in (2): severe means of sufficient seriousness to interfere with the rights, privileges, and legal activities of an individual, as well as actions that would be deemed by a reasonable person to be extreme or life-threatening; pervasive means conduct existing in or spreading over a large area of an activity or program over a period of time; and objectively offensive means behavior determined by a reasonable person to be offensive (actions that cause unreasonable harm or distress to another individual or group of people). Includes complaints based on sex, sexual orientation, and/or gender identity.

² Sex-based misconduct is unwelcome conduct on the basis of sex that is severe, persistent, or pervasive enough to create a work, educational, or campus living environment that a reasonable person would consider intimidating, abusive, or offensive. Sex-based misconduct is explicitly prohibited under System Regulation 08.01.01. Aiding another in the commission of sex-based misconduct is also prohibited by System Regulation 08.01.01. Sex-based includes, but is not limited to, sexual assault, sexual exploitation, dating violence, domestic violence, and stalking based on sex. Sexual exploitation is defined as a situation in which an individual(s) takes non-consensual or abusive sexual advantage of another for his or her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited. For example, sexual exploitation could include such actions as secretly videotaping sexual activity, voyeurism, invasion of sexual privacy, exposing one's genitals or causing another to expose one's genitals, and knowingly exposing another person to a sexually transmitted infection or disease. Sexual exploitation is a form of sex-based misconduct. Includes complaints based on sex, sexual orientation, and/or gender identity.

³ Intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured under civil rights laws and regulations, or because the individual has opposed a discriminatory practice, files a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing. The exercise of rights protected under the First Amendment does not constitute prohibited retaliation, nor does the filing of a mandatory report as required by System Regulation 08.01.01. In addition, a university official who files a mandatory report or charges an individual with making a materially false statement in the course of an investigation has not engaged in prohibited retaliation. Retaliation is explicitly prohibited under System Regulation 08.01.01. Aiding another in the commission of retaliation is also prohibited under this regulation.

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

WTAMU employees and students are responsible for ensuring their work, and educational environments are free from discrimination. 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 employment⁴. Student workers are not required to report conduct prohibited by this policy if the student worker experiences, observes, or becomes aware of the prohibited conduct outside the context of their employment.

An employee is not required to report an incident where: 1) that employee was a victim of sexual harassment, sexual assault, dating violence, or stalking; 2) the incident about which the employee received information was due to a disclosure made at a sexual harassment, sexual assault, dating violence, or stalking public awareness event sponsored by the institution, or a student organization affiliated with the institution; 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. An employee must be dismissed if, in accordance with its applicable 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.

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

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

⁴ Exceptions include confidential employees described in the "Confidential and Anonymous Reporting" section of this report.

RELLIS Title IX Coordinator's Office

RELLIS TIXC (979-317-3404)

Civilrights@rellis.tamus.edu

Website reporting form: <https://go.pardot.com/1/54802/2020-06-03/9w8zy6>

The Assistant Provost & Title IX Coordinator's (AP/TIX) responsibilities include, but are not limited to, (1) overseeing the WTAMU RELLIS campus 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; [reflect System Rule 08.01.01.S1 for AA staff and AA students (and RELLIS AA Student Code of Conduct), and WTAMU campus 08.01.01.W1 for AA faculty] and (3) identifying and addressing any patterns or systematic problems that arise from the review of such complaints. The Title IX Coordinator or designee shall decide whether this policy shall 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. These behaviors will be forwarded by RELLIS TIXC to be addressed by the appropriate disciplinary authority, e.g., Supervisor, Student Conduct, Residence Life, etc., under rules or regulations other than this policy.

The TIXC's office is the department designated by the university 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 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:

Texas A&M System Ethics and Compliance Office (SECO)

301 Tarrow, 6th floor

College Station, TX 77843

979-458-6120

civilrightsreporting@tamus.edu

Additional options for reporting to the university include:

- Submitting an anonymous report through <https://secure.ethicspoint.com/domain/media/en/gui/19681/index.html>
- Submitting an electronic report through civilrights@rellis.tamus.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.

WTAMU has procedures in place to inform individuals of their rights to file criminal charges as well as the availability of services on and off campus. A complainant⁵ may request assistance from and/or will be assisted by TIXC in notifying law enforcement authorities if the complainant so chooses. A report to law enforcement 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. 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 or student who is not performing at acceptable levels or standards or who has violated System policies or regulations or university rules or SAPs.

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 harassment and remedy discriminatory effects of the conduct, as appropriate. A substantiated allegation of prohibited conduct will result in disciplinary action, up to and including termination of employment or separation from the university. Third parties who commit prohibited conduct may have their relationship with the university terminated and/or their privileges of being on university premises withdrawn.

RELLIS TIXC conducts an initial review and preliminary assessment of all reports/complaints that are received by RELLIS TIXC to assess and address the safety and well-being of the complainant, respondent, and the community. As part of the initial review, RELLIS TIXC will take the following step: (1) inform the individual reporting of the right to file a complaint with law enforcement (if applicable) in addition to filing a complaint with RELLIS TIXC, (2) provide assistance in notifying campus police or appropriate law enforcement authorities if the individual so chooses, (3)

⁵ The individual(s) who is alleged to have been subjected to discrimination.

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. RELLIS TIXC will offer the opportunity to request supportive measures to provide for the safety of the individual and campus community.

RELLIS TIXC will also take steps to advise about (1) the importance of preserving evidence, if applicable, that could assist in proving that a criminal offense occurred or may be helpful in obtaining a protective order or assist in 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, RELLIS TIXC will determine whether the complainant is a minor, elderly, or disabled and, if required, contact the appropriate agency in accordance with the Texas law.

RELLIS TIXC 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 about how and to whom the alleged offense should be reported;
- the option to notify proper law enforcement authorities including on-campus and local police;
- the option to be assisted by campus authorities in notifying law enforcement if the victim chooses;
- the option to decline to notify such authorities;
- the rights of individuals and the institution's responsibilities for orders of protection, no contact orders (mutual no contact restrictions), restraining orders, or similar lawful orders issued by criminal, civil, or tribal court or the institution;
- information about how the institution will protect confidentiality;
- existing on-campus and community resources/contacts (counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to students, faculty, and staff);
- the options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or 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.

Individuals reporting to RELLIS TIXC also receive the written notification.

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 at 911 or 9-911 using an on-campus phone.
- Get medical attention as soon as possible to make sure you are physically well and to collect important evidence in the event you may later wish to take legal action. Baylor Scott & White Medical Center in College Station (979-207-0100, <https://www.bswhealth.com/specialties/forensic-medicine/>) is the community's designated forensic nursing facility offering a 24/7 program with trained Sexual Assault Nurse Examiners (SANE) and a forensic unit that provides detailed physical examinations, evidence collection, and expert testimony. St. Joseph Health Regional Hospital in Bryan (979-776-3777) also conducts forensic exams. Go to the hospital's emergency room and request to be seen by a SANE. A forensic examination can also be performed for victims of domestic violence.
- Try to preserve all physical evidence. Do not wash, use the toilet, swim, brush teeth, or change clothing if you can avoid it. If you do change clothes, put all clothing you were wearing at the time of the attack in a paper, not plastic, bag.
- Preserve evidence by saving text messages, instant messages, social networking pages, communications, pictures, or other documents, if any, that would be useful to police or investigators.
- Personnel are available to help explain options, give information, and provide emotional support. Personnel include: Title IX Coordinator 979-317-3404, Student Counseling, and Student Health Services at Texas A&M Health Family Care 979-776-8440, TAMUPD Victim Services 979-458-9767, 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 criminal offense occurred or is occurring or may be helpful in obtaining a protective order. Physical evidence should be collected immediately, ideally within the first 24 hours. It may be collected later than this, but the quality and quantity of the evidence may be diminished. If 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 employment 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 as required 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, and 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. Additionally, researchers are deemed confidential only when the research project is federally funded and the identity of research subjects on the specific project are deemed confidential by law.

At the RELLIS campus, the following are considered confidential reporters: Mental health providers for students – counseling and health care personnel for students – Texas A&M Health Family Care (979-776-8440); and mental health provider for employees and the employee's benefits-eligible dependents (979-458-6417). At WTAMU the following are considered confidential reporters: Mental health providers for students – counseling (806-651-2340), health care personnel for students – Student Medical Services (806-651-3287); and mental health provider for employees and the employee's benefits-eligible dependents the, Your Work/Life Solutions program by GuidanceResources (866-301-9623 or TTY 800-697-0353) are

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.

confidential, licensed mental health counseling services available for emotional support.

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;
- imminent threat to health or safety exists; or
- 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. Parties with an inquiry or complaint, if known,

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.

are informed about their resources, rights, and options in writing when TIXC 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 the Student Affairs, Human Resources, and TAMUPD, 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 Title IX webpage at <https://rellis.tamus.edu/academicalliance/campus-life/safety-and-rights/>. Additional information about any of the resources, rights, and options discussed in this section can be requested from RELLIS TIXC.

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	www.cstx.gov/police
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/polic-e-emergency-management/index.html
West Texas A&M University Police Department	806-651-2300	301 23 rd Street, Old Sub 102, Canyon, TX	www.wtamu.edu/police

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
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 (TAMUS Employees)	979-458-6417	301 Tarrow St., College Station, TX	https://www.guidanceresources.com/groWeb/login/login.xhtml
Work/Life Solutions Program by GuidanceResources (WTAMU Employees)	1-866-301-9623 or 806-651-2114		https://www.wtamu.edu/business-finance/human-resources/benefits.html
Student Counseling Services, WTAMU	806-651-2340	2501 4 th Avenue, Classroom Center 116, Canyon, TX	www.wtamu.edu/counseling

Medical and Health Services

Name	Phone	Address	Website
Texas A&M Health Family Care (upper-level TAMUS students)	979-776-6905	2900 E. 29 th St. Bryan, TX 77802	https://health.tamu.edu/care/family-care-bryan/index.html
Baylor Scott & White (Blinn students)	979-691-2409	700 Scott & White Drive, College Station, TX	sw.org/location/college-station-hospital
Baylor Scott & White Medical Center	979-207-0100	700 Scott & White Drive College Station, TX	https://www.bswhealth.com/locations/college-station/

Name	Phone	Address	Website
St. Joseph Health College Station Hospital	979-764-5100	1604 Rock Prairie Road College Station, TX	https://stjoseph.stlukeshealth.org/locations/chi-st-joseph-health-college-station-hospital
St. Joseph Health Regional Hospital – Bryan, TX	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
Student Conduct (WTAMU)	806-651-2389	301 23 rd St., Old SUB, Canyon, TX	https://www.wtamu.edu/student-life/handbook/index.html
Student Conduct Office (RELLIS)	979-317-3404	1425 Bryan Rd. Bryan, TX 77807 ACB1, Ste. 117	https://rellis.tamus.edu/academicalliance/campus-life/safety-and-rights/
Student Services (RELLIS)	979-317-3404	1425 Bryan Rd. Bryan, TX 77807 ACB1, Ste. 117	https://rellis.tamus.edu/academicalliance/resources/
Student Affairs (Vice President)	806-651-2050	2501 4 th Avenue, JBK Student Center 102, Canyon, TX	https://www.wtamu.edu/student-support/sees/index.html
Human Resources (WTAMU)	806-651-2114	2501 4 th Avenue, Old Main 308, Canyon, TX	www.wtamu.edu/HR
National Sexual Assault Hotline	800-656-4619		online.rainn.org
Sexual Assault Resource Center	979-731-1000		sarcbv.org
National Domestic Violence Hotline	800-799-7233		thehotline.org
University Police Department Victim Services	979-458-9767	1111 Research Parkway College Station, TX	upd.tamu.edu/pages/victimsadvocate.aspx
Bryan Police Department Victim's Assistance	979-209-5312	302 South Texas Ave Bryan, TX	

Name	Phone	Address	Website
College Station Police Department Victim Advocacy & Assistance	979-764-5004	2611 Texas Ave. S. College Station, TX	https://cstx.gov/departments_city_hall/police/about/operational/victim
Brazos Valley Family Violence Unit	979-775-7400	300 E. 26 th St., Suite 105 Bryan, TX	Brazoscountytexas.gov/index.aspx?NID=112
Twin City Mission Domestic Violence Services	979-775-5355	2505 S. College Ave. Bryan, TX	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
International Student Services (WTAMU)	806-651-2073	2403 Russell Long Blvd., JBK 133N	https://www.wtamu.edu/student-support/international-student-services/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
Student Financial Aid (WTAMU)	806-651-2055	2501 4 th Avenue, Old Main 108, Canyon, TX	https://www.wtamu.edu/student-support/financial-aid/index.html
Federal Student Aid Information Center	800-433-3243	n/a	https://studentaid.gov/help-center/answers/landing

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, RELLIS TIXC 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.

RELLIS TIXC is responsible for coordinating the effective implementation of supportive measures. In addition to facilitating supportive measures, RELLIS TIXC can provide parties with access to university officials with information about counseling, medical, 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). RELLIS TIXC 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 RELLIS TIXC (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.

RELLIS TIXC can assist with supportive measures that may include but are not limited to changes to academic, living, transportation and working situations or supportive measures according to the list below. In determining which supportive measures to impose and the reasonableness of the related measures, RELLIS TIXC considers the request; the safety of the complainant, respondent, and the university community; the specific needs of the individuals; the severity or pervasiveness of the allegations; continuing effects; sharing of classes, transportation, or job locations; other judicial measures already in place; and other factors as appropriate.

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, legal (protective orders and criminal trespass warnings available through law enforcement and the judicial system), counseling support, victim advocacy, visa and immigration information, and financial aid guidance

- Extension of deadlines or other course-related adjustments, e.g., in cases in which a student complainant and student respondent are enrolled in the same course, either student may elect to drop the course without any academic penalty
- Modifications of work or class schedules
- Campus escort service
- Mutual no contact restrictions between the parties as described below
- Changes in work or housing locations
- 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 TIXC at (979-317-3404). RELLIS TIXC 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 RELLIS TIXC'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 TIXC and may result in further 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.

AP/TIX will also consider an interim removal of the respondent from university geography, programs or activities if the respondent is an immediate threat to the health or safety of the community or another individual. Both an interim removal for student respondents and an interim administrative action for employee respondents, such as a leave of absence, are described below.

Interim Removal 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 SAP except as provided below.

AP/TIX may remove 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.

AP/TIX must provide the removed student with notice and opportunity to challenge the decision immediately following the removal. Upon being removed, the removed 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.

During the interim removal, 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 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 System policies, WTAMU Office of Civil Rights and Title IX (CRTIX) may request that an employee be placed on leave, suspended with pay, reassigned and/or place in another type of temporary status pending completion of the investigation and resolution process. CRTIX may also issue interim restrictions to an employee, which include, but are not limited to, contact restrictions (no-contact directives); representation of the university; "no trespass" orders, etc. Such interim actions will remain in place as specified in a notification to the employee or until the allegations are resolved.

Confidentiality/Privacy of Accommodations and Supportive Measures: The university will maintain the private any accommodations or supportive measures provided to the extent that maintaining such privacy would not impair the ability of the institution to provide supportive measures. AP/TIX and the WTAMU Office of Civil Rights and Title IX (CRTIX) is responsible for determining what information and to whom information will be disclosed based on the circumstances of the allegation, the individuals involved, and related safety needs. AP/ITX and WTAMU CRTIX uses discretion and only discloses information to key officials at the institution who perform the tasks necessary for obtaining or providing the particular accommodation or 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; 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: Offices of the Provost, University Police Department, Behavioral Intervention Team, Human Resources,

academic departments (direct supervisor, Dean), or non-academic departments (direct supervisor, Vice President, or designee). Prior to disclosure, AP/TIX or CRTIX will receive consent to disclose the identity of the alleged victim, inform the individual of the information that will be shared, with whom it will be shared, and why.

Legal Rights and Options

The institution provides information and assistance to the complainant, the respondent, and other affected individuals in obtaining lawful orders issued by a criminal, civil, or tribal court including protective orders and criminal trespass warnings as discussed below. Failure to comply with any of the terms of lawful supportive measures may be considered a separate violation in the institutional disciplinary proceeding.

Protective Orders: Individuals may apply for protective orders through the Texas criminal justice system. A protective order is an interim protective measure that requires the recipient to stay away from the protected individual's home, workplace, and/or children's schools (if the children are protected persons in the order) depending on the documented circumstances. It can require the recipient to stop communicating with the protected individual in a harassing or threatening manner, attend counseling, pay child support, and/or pay spousal support. An application for a protective order may be filed by an individual, a prosecuting attorney, or the Texas Department of Family and Protective Services (1-800-252-5400) on behalf of an individual. The application is obtained through the county attorney (Brazos County Attorney's Office – Family Violence Unit, Family Violence and Mental Health Coordinator, 979-361-4657), the district attorney (Brazos County District Attorney's Office – Chief Family Violence 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://brazoscountytexas.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 is met, the county or district attorney's office will prepare and file all of the paperwork necessary to request a protective order from a court. Such orders provide effective tools for law enforcement when they are called upon to protect an individual and their family. Additionally, an emergency protective order may be recommended and automatically issued by the court following the original report and arrest of the respondent. A hearing is held at a later date to determine if the order should be extended or modified.

TAMUPD is notified of protective orders that exist in the campus and surrounding area. Local law enforcement agencies are also notified of all existing protective orders in their area. If the requestor or other institutional personnel become aware that a protective order is violated,

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 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 that 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 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 UPD's Community Services Unit at 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. For additional information, you may 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.
- 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 by SECO 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

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.

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 RELLIS TIXC. 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 RELLIS TIXC. 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 RELLIS TIXC, 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 RELLIS TIXC, not only to assess and address safety, but also to determine whether a violation of the System Regulation 08.01.01 and/or any other university rule, SAP, code, or policy could have occurred. During the initial review and preliminary assessment RELLIS TIXC 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. RELLIS TIXC will consider the following factors when evaluating such requests:

- All of the known circumstances, including any corroborating evidence;
- The nature and scope of the alleged conduct, including whether the reported behavior involves the use of a weapon;
- The respective ages and roles of the complainant and respondent;
- Whether there have been other reports of prohibited conduct or other misconduct by the respondent;

- Whether the report reveals a pattern of misconduct related to prohibited conduct (e.g. illicit use of drugs or alcohol) at a given location or by a particular group;
- Fairness considerations for both the complainant and the respondent;
- Whether the university possesses other means to obtain relevant information and evidence;
- The university's obligation to provide a safe and non-discriminatory environment;
- Admissions of responsibility by the respondent, if any; and
- The impact of honoring the request on the complainant and the university community, including the risk of additional violence.

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

If the university determines that the complainant's request cannot be honored, the complainant will be notified of the decision, and RELLIS TIXC 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 SECO, 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 fails 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. RELLIS TIXC reserves 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, RELLIS TIXC 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 and/or Rule 08.01.01.W1 (WTAMU faculty); and or Rule 08.01.01.S1 (AA staff and students) or, that an investigation will not occur due to the complainant's request for no resolution, RELLIS TIXC (for staff and students) and (CRTIX) (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 SAPs, if applicable), or
- with the consent of the parties, as well as the approval of SECO, 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).

RELLIS TIXC 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, AP/TIX 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, SAP, code, or policy occurred.

AP/TIX (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;
- 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)⁹ and Appellate Authority(AA);¹⁰

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 WTAMU CRTIX (or designee) shall notify, in writing, the respondent's supervisor that RELLIS TIXC is investigating an allegation that the

⁹ The DA is the decision-making entity specified in member 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 designated administrator is to determine whether or not allegations of misconduct rise to the level of a violation of this regulation based on the evidence provided and utilizing the preponderance of the evidence standard. The designated administrator 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 designated administrator in any case involving an allegation of discrimination or harassment based on sex. Designated administrators may consist of a single decision-maker (hearing officer for formal hearings) or a group of decision makers (hearing panel for formal hearings). When a hearing panel is utilized by a member, it must be chaired by a voting member and consist of an odd number of total voting members.

¹⁰ The AA is an individual or panel responsible for rendering appeal decisions as specified in member rules. The role of the appellate authority 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 appellate authority in any case involving an allegation of discrimination or harassment based on sex.

respondent has engaged in conduct that may be a violation of System Regulation 08.01.01 and/or System Rule 08.01.01.S1 (for AA staff and students) and member Rule 08.01.01.W1 (for AA faculty), or other university rules, SAPs, codes, or policies.

AP/TIX is responsible for all administrative actions required to conduct the investigation. These include, but are not limited to, informing the parties of extensions or other delays affecting the investigation, contacting supervisors or faculty regarding their employees' or students' time away from work or class to participate in the investigative process, making reports to university administrators, coordinating supportive measures, and undertaking any other tasks necessary to properly conduct the investigation.

The IA will review the complaint; 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 Title IX;
- Falsification, distortion, destruction, or misrepresentation of evidence or information;
- Disruption or interference with the orderly conduct of an investigation, interview, meeting, hearing or conference;
- Intentionally initiating or causing a false report to be initiated;
- Attempting to discourage an individual's proper participation in, or use of, the investigation and resolution process, disciplinary process, or legal process;
- Attempting to influence the impartiality of the IA, AA, or DA prior to, and/or during the course of the investigation and resolution process;
- Verbal or physical intimidation, and/or retaliation of any party to the investigation and resolution process prior to, during, and/or afterwards;
- Failure to abide by the terms of university administered sanctions;
- Influencing or attempting to influence another person to commit an abuse of the investigation and resolution process; and/or
- Failure to cooperate fully with the IA (applies to employees only).

Students, employees, and third parties who are found responsible for abuse of the investigation and resolution process are subject to the sanctions as described in this policy.

During the investigation, the complainant and the respondent will have an equal opportunity to be heard, submit information and corroborating evidence, identify witnesses who may have relevant information, and submit questions to be asked of the other party. Questions for the other party will be asked by and at the discretion of the IA.

The IA will meet separately with the complainant, the respondent, and any witnesses, and will gather other relevant and available evidence and information. The IA may also consult medical, forensic, technological, or other experts when expertise is needed in order to achieve an understanding of the issues under investigation.

Witnesses must 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 advisor¹¹ of their choice. The advisor may be present at any time in which the party participates in the investigation and resolution process, including the filing of the complaint, the interview with the IA, and all other meetings 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 AA, or the 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, RELLIS

¹¹ An Advisor is an individual selected by each complainant and respondent to provide guidance 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. A member may appoint an advisor of the member'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 members may establish circumstances under which a second advisor would be permitted (e.g., accommodating a party with a disability).

TIXC 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, SAP, 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 report¹² includes the following but does not contain speculation, opinions, findings, decisions, or recommendations for sanctions:

- 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

¹²The 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.

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 final completion of the 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 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 respond 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 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 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 AP/TIX. 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 and/or System Rule 08.01.01.S1 (for AA staff and students) and member Rule 08.01.01.W1 (for AA faculty). If violation(s) are found, the DA may issue sanctions.

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

AP/TIX 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 students¹³.

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 DA or designee will provide the final investigative report and exhibits to the parties. 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 the 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

¹³ 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.

a minimum of 5 business days 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.

The DA will conduct a live hearing¹⁴ to allow the parties to question witnesses, submit evidence or information, and to allow the DA and the parties' advisors to cross-examine other parties or witnesses. The complainant and the respondent at a hearing must have an advisor with them. 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.

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 result¹⁵ (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 and/or System Rule 08.01.01.S1 (for AA staff and students) and member Rule 08.01.01.W1 (for AA faculty).

¹⁴ 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.

¹⁵ 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.

If applicable, the DA will also include a decision as to whether the respondent violated any other university regulation, code, policy, SAP, or rule. If the DA determines that any regulations, policies, rules, SAPs, or codes have been violated, the DA will consider any information about impact, mitigation, aggravation, and the respondent's character include a 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. 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 sanctions¹⁶. 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 and/or System Rule 08.01.01.S1 (for AA staff and students) and member Rule 08.01.01.W1 (for AA 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, SAPs, codes, or polices 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

¹⁶ 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.

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.

The goal is to resolve complaints in a reasonably prompt timeframe; however, extenuating circumstances requiring additional time may necessitate an extension for good cause. AP/TIX or designee provides written notice of the delay and the reason for the delay to the complainant and the respondent.

Procedures governing the resolution of all other civil rights complaints (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 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, 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 and/or System Rule 08.01.01.S1 (for AA staff and students) and member Rule 08.01.01.W1 (for AA faculty). If it was alleged that any other system regulations or university rules, SAPs, 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 and/or System Rule 08.01.01.S1 (for AA staff and students) and member Rule 08.01.01.W1 (for AA faculty) (other than sexual harassment and/or sex-based misconduct), the DA may assign appropriate sanction(s) which may have educational, restorative, punitive, and rehabilitative components. Sanctions include written warning

or reprimand, required training and/or attendance at counseling, no contact directives, probation, suspension, and termination.

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

Sanctioning for Students: In all cases, investigations that result in a finding of responsible, in using the preponderance of the evidence standard (more likely than not that the alleged action took place in violation of the Student Code of Conduct or System Rule 08.01.01.S1 occurred) 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 the Title IX Coordinator’s 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 AA, the individual or panel responsible for rendering appeal decisions, is assigned based on the status of the respondent in accordance with the following table. AAs 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 AA is:	Provost/Vice Chancellor for Academic Affairs	Provost/Vice Chancellor for Academic Affairs	Office of Civil Rights and Title IX

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 was deprived of a fair process.

Appeals must be submitted in writing and must include a statement outlining the basis for the appeal¹⁷ and any evidence which supports the appeal. Appeals must be filed at the location and within the timeframe stated in the DA’s written notice of the decision (within 5 business days of

¹⁷ 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.

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 one of the bases for appeal and (3) provide credible information or evidence substantiating the identified bases for appeal.

If the AA determines that an appeal is not valid, the AA will provide simultaneous written notice to the parties and AP/TIX 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 AA. 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 AA.

The AA will review the Title IX Coordinator's letter of dismissal, the investigation report, the DA's decision, the documentary evidence, the record from the hearing (if applicable), or any other relevant information and render a written decision on the appeal. If both parties file a valid appeal, the AA will review both appeals and will render decisions accordingly.

The AA 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.
- Remand the complaint back to the DA because new evidence, not reasonably available at the time 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 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 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 previously described appeal procedures.

- Remand the complaint to 1) AP/TIX or 2) SECO with the instruction to remedy a bias by the IA or DA or the Title IX Coordinator. If bias was present in the IA, AP/TIX 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 the bias was present in the DA, AP/TIX will appoint a new DA to re-hear the case with the existing investigation. If the bias was present in the AP/TIX, SECO will appoint a new staff member to address the influence of the AP/TIX 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 circumstances¹⁸. The AA 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 AA 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 appeal, and when such results become final.

To the extent reasonably possible:

- For student respondents: The AA will provide the written decision simultaneously to the parties and AP/TIX within 10 business days following the 3 business day review deadline. AAs are exempt from obtaining OGC review of decisions for student respondents prior to issuance but may request assistance from OGC and SECO when needed.
- For employee or third-party respondents: The AA 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 AA within 5 business days. To the extent possible, the AA will provide a final written decision simultaneously to the parties and AP/TIX 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 AA is considered be final and binding on all involved parties.

Circumstances may warrant extensions to the timeframes outlined in this section. The AA 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 AA will notify the parties and AP/TIX in writing.

Appeal procedures governing the resolution of other complaints (allegations other

¹⁸ 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.

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 code of conduct for student grievances, [Student Rule 51. Student Conduct Separation and Appeal](#).

Extensions

The university will make every reasonable effort to comply with the timelines contained in this procedure. However, extensions may be obtained by the IA, DA, or AA, as appropriate under the circumstances. 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 AA due to illness, family needs or professional commitments;
- Holidays or other periods when the complainant, respondent, witnesses, or other university employees may be unavailable; and/or
- New allegations, new evidence, new witnesses, or any other fact or circumstance that would require further investigation.

All requests for extensions must be justified in writing and shall be sent by the IA, DA, or AA to AP/TIX for review and approval by the AP/TIX or designee. AP/TIX 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 process¹⁹ under federal law. However, at the discretion of the AP/TIX, in consultation with

¹⁹ 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

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 for the purposes of sexual harassment under Title IX if the complainant notifies the AP/TIX 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 (for example, 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 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
- 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 AA in accordance with the appeal procedures referenced above.

Prevention and Awareness Programs²⁰

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.

²⁰ 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.

Primary prevention programs are directed at incoming students and new employees. The primary programs are defined as programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexual interactions, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

WTAMU provides culturally relevant, inclusive primary prevention and awareness education to incoming students and new employees to clearly define sexual assault, dating violence, domestic violence, stalking, and consent. The programs identify sexual assault, dating violence, domestic violence, and stalking as conduct prohibited by the university and provide information regarding bystander intervention, risk reduction in recognizing warning signs of abusive behavior, ways to avoid potential attacks, and individuals' rights and options. The training includes procedures individuals should follow if sexual assault, dating violence, domestic violence, or stalking occurs and procedures the institution will follow when one of these behaviors is reported. This includes, but is not limited to, the importance of preserving evidence; options for notifying law enforcement and campus authorities; procedures for institutional disciplinary action and conduct proceedings; possible sanctions following a proceeding; on-campus and community resources; rights and options for obtaining lawful orders; assistance in receiving support measures and remedial action; how the institution will protect the confidentiality of victims and other necessary parties; and protection from retaliation.

Primary prevention programs include the following:

- The university provides an easy online training module called *Voices for Change by Get Inclusive*. This program covers topics such as important definitions, bystander intervention, reporter responsibilities, and prevention skills for high-risk topics. *Voices of Change* consists of a few video modules to increase your self-awareness, listen, reflect, and be open to learning. We want to foster a community that is honoring and open to different perspectives. The *Voices of Change* program will help you think through many important issues and will help develop greater self-awareness. We are hopeful that it will increase the satisfaction of your education experience for you and those around you. The *Voices of Change* program is used for primary prevention and awareness for all new incoming students, new transfer students, new graduate students, and available for new employees. Additional video modules may be used for ongoing prevention and awareness for returning students and employees.
- New employees receive primary prevention information through a web-based *Creating a Discrimination Free Workplace* training mandated by The Texas A&M University System. All employees are required to complete the training every two years thereafter.

Ongoing prevention and awareness campaigns are directed at students and employees. The ongoing campaigns are defined as programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking using a range of strategies with audiences throughout the institution. The same information included in the institution's primary prevention and awareness programs is incorporated into ongoing prevention and awareness campaigns. Various departments support ongoing campaigns for students and employees as described below.

The University provides programs throughout the year geared toward the prevention of dating violence, domestic violence, sexual assault and stalking as defined in this publication by the Violence Against Women's Act (VAWA). Programs are sponsored by several different departments such as (UPD; Student Affairs; Student Engagement and Leadership; Residential Living; Title IX; etc.)

The TAMU PD's Community Services Unit, within the Special Operations Section, is staffed by officers who are state Certified Crime Prevention Specialists, that continually presents 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 UPD 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.

TAMU PD typically offers a variety of crime prevention programs, safety programs, and services to 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
- TAMU PD 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 TAMU PD
- 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

Bystander Intervention and Risk Reduction²¹

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

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

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

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

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

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

Sex Offender Registration

²¹ 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.

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. 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. Notification may come 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

Prohibition of Retaliation

TAMUS, TAMU, RELLIS Academic Alliance and WTAMU prohibit retaliation. No employee or agent of the TAMUS may retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of the Clery Act.

Victim Notification

In accordance with the Higher Education Opportunity Act, upon written request, WTAMU will disclose to the alleged victim of any crime of violence, or non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the University against a student who is the alleged perpetrator of such crime or offense with respect to such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for the purposes of this paragraph.

Institutions are required to provide both the complainant and the respondent with simultaneous written notification of any result of any institutional conduct proceeding that arises from an

allegation of dating violence, domestic violence, sexual assault, or stalking. In these cases, it is not necessary for the victim to make a written request.

Definitions of Clery Act Offenses

Murder and Non-negligent Manslaughter: The willful (non-negligent) killing of one human being by another.

Manslaughter By Negligence: The killing of another person through gross negligence.

Sexual Assault: An offense that meets the definition of rape, fondling, incest or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) Program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent (see consent section below).

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

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

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

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

Consent:

Texas A&M University System Regulation

[System Regulation 08.01.01, Civil Rights Compliance](#) provides guidance in complying with local, state and federal civil rights laws and regulations and related system policy. This regulation establishes systemwide 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 [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;
- (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 of 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.

(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.

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:

(A) with whom the actor has or has had a dating relationship; or

(B) because of the victim's or applicant's marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and

(2) is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the victim in fear of imminent physical harm, bodily injury, assault, or sexual assault.

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

(1) the length of the relationship;

(2) the nature of the relationship; and

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

(c) A casual acquaintanceship or ordinary fraternization in a business or social context does not constitute a "dating relationship" under Subsection (b).

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

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

(1) an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself;

(2) abuse, as that term is defined by Sections 261.001(1)(C), (E), and (G), by a member of a family or household toward a child of the family or household; or

(3) dating violence, as that term is defined by Section 71.0021.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional

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

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

(a) A person commits an offense if the person, on more than one occasion and pursuant to the same scheme or course of conduct that is directed specifically at another person, knowingly engages in conduct that:

(1) constitutes an offense under [Section 42.07](#) (see below), or that the actor knows or reasonably should know the other person will regard as threatening:

(A) bodily injury or death for the other person;

(B) bodily injury or death for a member of the other person's family or household or for an individual with whom the other person has a dating relationship; or

(C) that an offense will be committed against the other person's property;

(2) causes the other person, a member of the other person's family or household, or an individual with whom the other person has a dating relationship to be placed in fear of bodily injury or death or in fear that an offense will be committed against the other person's property, or to feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended; and

(3) would cause a reasonable person to:

(A) fear bodily injury or death for himself or herself;

(B) fear bodily injury or death for a member of the person's family or household or for an individual with whom the person has a dating relationship;

(C) fear that an offense will be committed against the person's property; or

(D) feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended.

(b) An offense under this section is a felony of the third degree, except that the offense is a felony of the second degree if the actor has previously been convicted of an offense under this section or of an offense under any of the following laws that contains elements that are substantially similar to the elements of an offense under this section:

(1) the laws of another state;

(2) the laws of a federally recognized Indian tribe;

(3) the laws of a territory of the United States; or

(4) federal law.

(c) For purposes of this section, a trier of fact may find that different types of conduct described by Subsection (a), if engaged in on more than one occasion, constitute conduct that is engaged in pursuant to the same scheme or course of conduct.

(d) In this section:

- (1) "Dating relationship," "family," "household," and "member of a household" have the meanings assigned by Chapter 71, Family Code.
- (2) "Property" includes a pet, companion animal, or assistance animal, as defined by Section 121.002, Human Resources Code.

Sec. 42.07. Harassment.

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

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

(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. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned, including joyriding).

Arson: Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Hate Crime: A criminal offense reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For Clery Act purposes, hate crimes include any of the following offenses that are motivated by bias: Murder and non-negligent manslaughter, manslaughter by negligence, sexual assault (rape, fondling, incest, statutory rape), robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, or destruction/damage/vandalism of property. Following are the bias categories.

Race: A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g. color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g. Asians, blacks, or African Americans, whites.

Gender: A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g. male or female.

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

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

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

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

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

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

Additional Hate Crime Definitions:

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

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

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

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

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

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.

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.

Crime Report, Arrest and Referral Statistics

Crime statistics are categorized according to the National Incident-Based Reporting System, an incident-based reporting system used by law enforcement agencies in the United States for collecting and reporting data on crimes. The following statistics include all incidents of Clery Act crimes reported to the institution that occurred within the campus' Clery Act locations, regardless of whether the individual reporting was a member of the campus community and regardless of whether the individual chose to move forward with the criminal justice or campus disciplinary proceedings. To prepare the annual disclosure of crime statistics, the institution collects information from internal sources such as campus police and other campus security authorities and requests information from external sources such as local law enforcement. Some local law enforcement agencies did not respond to the institution's request for statistics or did not respond with a format usable for Clery crime reporting.

The Clery Act requires institutions of higher education to include four general categories of crime statistics:

- **Criminal Offenses** - Murder and Non-negligent Manslaughter, Manslaughter by Negligence, Rape, Fondling, Incest, Statutory Rape, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, and Arson.
- **Hate Crimes** – Any of the above-mentioned offenses (except Manslaughter by Negligence), and any incidents of Larceny Theft, Simple Assault, Intimidation, or Destruction/Damage/Vandalism of Property that were motivated by bias;
- **Violence Against Women Act Offenses** – Any incidents of Domestic Violence, Dating Violence and Stalking. (Note that Sexual Assault is also a VAWA offense but is included in the Criminal Offenses.);
- **Arrests and Referrals for Disciplinary Action** for Weapons (carrying, possession, etc.) Law Violations, Drug Abuse Violations and Liquor Law Violations.

The RELLIS campus has no residential facilities for students strictly enrolled in the WTAMU RELLIS programs.

Hate Crimes

According to Texas law, a hate crime is any criminal offense committed against a person or property that is motivated, in whole or in part, by the offender's bias against race, gender, ethnicity, religion, national origin, disability, gender identity or sexual orientation.

- **2020** – *no hate crimes reported*
- **2021** – *no hate crimes reported*
- **2022** – *no hate crimes reported*

Unfounded Crimes

Unfounded crimes are crimes that sworn or commissioned law enforcement personnel have investigated and made a formal determination that the report is false or baseless and are, therefore, subsequently withheld from Clery crime statistics. Following are the unfounded crimes as reported for the RELLIS Academic Alliance campus.

- **2020** - *0 unfounded crimes*
- **2021** - *0 unfounded crimes*
- **2022**- *0 unfounded crimes*

Reportable Clery Act Crimes

West Texas A&M University - RELLIS Academic Alliance

OFFENSE	Year	On Campus	Public Property
Murder/Non Negligent Manslaughter	2020	0	0
	2021	0	0
	2022	0	0
Manslaughter By Negligence	2020	0	0
	2021	0	0
	2022	0	0
Sex Offenses, Rape	2020	0	0
	2021	0	0
	2022	0	0
Sex Offenses, Fondling	2020	0	0
	2021	0	0
	2022	0	0
Sex Offenses, Incest	2020	0	0
	2021	0	0
	2022	0	0
Sex Offenses, Statutory Rape	2020	0	0
	2021	0	0
	2022	0	0
Robbery	2020	0	0
	2021	0	0
	2022	0	0
Aggravated Assault	2020	0	0
	2021	0	0
	2022	0	0
Burglary of Structure	2020	0	0
	2021	0	0
	2022	1	0
Motor Vehicle Theft	2020	0	0
	2021	0	0
	2022	0	0
Arson	2020	0	0
	2021	0	0
	2022	0	0

Arrest, Referrals and VAWA Reports

West Texas A&M University - RELLIS Academic Alliance

OFFENSE	Year	On Campus	Public Property
Liquor Law Arrests	2020	0	0
	2021	0	0
	2022	0	0
Drug Law Arrests	2020	0	0
	2021	0	0
	2022	0	0
Weapons Law Arrests	2020	0	0
	2021	0	0
	2022	0	0
Liquor Law Violations Referred for Disciplinary Action	2020	0	0
	2021	0	0
	2022	0	0
Drug Law Violations Referred for Disciplinary Action	2020	0	0
	2021	0	0
	2022	0	0
Weapons Law Violations Referred for Disciplinary Action	2020	0	0
	2021	0	0
	2022	0	0
Domestic Violence	2020	0	0
	2021	0	0
	2022	0	0
Dating Violence	2020	0	0
	2021	0	0
	2022	0	0
Stalking	2020	0	0
	2021	5	0
	2022	1	0

Important Contacts

WTAMU Campus Resources

University Police Department	Old Sub 102	806-651-2300
UPD Victim Assistance	Old Sub 106	806-651-2307
Human Resources	Old Main 308	806-651-2114
The Work/Life Solutions Program by GuidanceResources	www.wtamu.edu/HR	1-866-301-9623
Student Counseling	Classroom Center 116	806-651-2340
Student Medical Services	Virgil Henson Activities Center	806-651-3287
International Student Office	JBK Student Center 133N	806-651-2073
Office of Civil Rights and Title IX	Old Sub 108Q	806-651-3199
Scholarships Services	https://www.wtamu.edu/student-support/scholarships/index.html	806-651-3330
Student Financial Aid	https://www.wtamu.edu/student-support/financial-aid/index.html	806-651-2055
Buff Allies	www.wtamu.edu/buffallies	
Military and Veteran Services	Classroom Center 115C/D	806 651-4930
Office for Engaged Citizenship	Classroom Center 133	806-651-8480

RELLIS Campus Resources

TAMU Police Department	1111 Research Parkway, College Station, TX	979-845-2345
Blinn College Police Department	2423 Blinn Blvd., Building S, Room 106, Bryan, TX	979-209-7600
Counseling & Psychological Services	471 Houston St., Student Services Bldg., 4 th floor	979-845-4427
Office of Disability Services	230 Walter C. Schwartz Building	979-209-8947
TAMU Police Department Victim Services	1111 Research Parkway, College Station TX	979-458-9767
Financial Aid and Scholarships	https://rellis.tamus.edu/academicalliance/resources/financial-aid-and-scholarships/	
RELLIS Title IX Coordinator	civilrights@rellis.tamus.edu	979-317-3404

Off Campus and Area Resources

Bryan Police Department	303 East 29 th Street, Bryan, TX	979-361-3888
College Station Police Department	800 Krenek Tap Road, College Station TX	979-764-3600
Brazos County Sheriff's Department	1700 Highway 21 West, Bryan, TX	979-361-4980
Baylor Scott & White Medical Center	700 Scott & White Drive, College Station, TX	979-207-0100
St. Joseph Health College Station Hospital	1604 Rock Prairie Road, College Station, TX	979-764-5100
St. Joseph Health Hospital	2801 Franciscan Drive, Bryan TX	979-776-3777
Texas A&M Physicians Clinic	2900 East 29 th Street, Bryan TX	979-776-6905
Domestic Violence/Sexual Assault Hotline	Bilingual 806-374-5433	844-363-3452
Family Support Services	Amarillo	806-342-2500
U.S. Citizenship and Immigration Services, Texas – San Antonio Field Office	20760 North US Highway 281, Suite A, San Antonio TX	800-375-5283
National Suicide Prevention Lifeline		800-273-8255
Suicide Crisis Local Hotline	1501 S. Polk Amarillo	806-359-6699
National Mental Health Helpline		855-995-9489
Legal Aid of Northwest Texas	203 W. 8th Street, Suite 600 Amarillo	806-373-4309
National Sexual Assault Hotline	http://www.rainn.org	800-656-HOPE
Sexual Assault Legal Services & Assistance	http://www.tlsc.org/	1-888-343-4414
Texas Association Against Sexual Assault	TAASA http://taasa.org/	512-474-7190
National Domestic Violence Hotline	What to Expect When You Contact Us - The Hotline	800-799-7233
Stalking Resource Center	1-202-467-8700 or info@victimsofcrime.org	
National Center for Victims of Crime	info@victimsofcrime.org	1-202-467-8700
Brazos County Victim Assistance Division	300 East 26 th Street, suite 310, Bryan TX	979-361-4320

Brazos County Family Violence Unit	300 East 26 th Street, 1 st floor, Bryan TX	979-361-657
Twin City Mission Domestic Violence Services	2505 South College Avenue, Bryan, TX	979-775-5355
Brazos Valley Sexual Assault Resource Center	www.sarcbv.org	979-731-1000

West Texas A&M University serves people of all ages, regardless of socioeconomic level, race, color, gender, religion, disability or national origin. West Texas A&M University is an affirmative action/equal employment opportunity institution. Paper copies of this report will be made available upon request, at the Office of Student Enrollment, Engagement and Success; the Human Resources Office; and the University Police Department.

Other Annual Security Reports and Annual Fire Safety Reports

Annual Security Reports and Annual Fire Safety Reports for all West Texas A&M University locations are as follows and are available at the following website: www.wtamu.edu/safety

West Texas A&M University 2023 Annual Security and Fire Safety Report
www.wtamu.edu/safety/WTAMU

West Texas A&M University Harrington Academic Hall Amarillo Center 2023 Annual Security Report www.wtamu.edu/safety/AmarilloCenter

West Texas A&M University RELLIS Academic Alliance 2023 Annual Security Report
www.wtamu.edu/safety/RELLIS

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