



# TEXAS A&M INTERNATIONAL UNIVERSITY ANNUAL SECURITY & FIRE SAFETY REPORT 2017

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



Texas A&M International University (TAMIU) is required to make available the following information to all current and prospective students and employees. Please take a moment to read the following information. The information is also available on the TAMIU Police Department's Clery website: <http://www.tamtu.edu/clery.pdf>. This report contains numerous links to websites with information that may be useful in reading this report. If a link does not function, please email [dispatcher@tamtu.edu](mailto:dispatcher@tamtu.edu) for assistance.

*Message from the Vice President for Finance and Administration and the UPD Compliance Coordinator:*

Dear TAMIU Community,

Texas A&M International University (TAMIU) is committed to providing a safe and secure environment for all who call our campus home, whether it be for a few hours, an academic career, or lifelong employment. To that end, we present the 2017 Annual Security and Fire Safety Report (ASFSR).

A University-wide collaborative effort directed by the Vice President for Finance and Administration and the University Police Department Compliance Coordinator, many offices and individuals play a significant role in bringing together the data, policies, and programs that make TAMIU a great place. Our respective offices work together to ensure the safety and security of the TAMIU community from all hazards, including crime. As a unit of the VP for Finance and Administration, the TAMIU Police Department (UPD) has primary responsibility for providing security and law enforcement services for the University. Preparation and publication of this Report is the responsibility of our dedicated police department with input and editorial guidance from the Office of University Compliance and other relevant departments.

This Report provides information on safety and security on our campus, and you will find information on University policies, procedures, programs, safety and security tips, fire safety and other material to help you maintain your safety and security. We encourage you to read this information and consider how it might help you and other members of the TAMIU community prevent and protect our campus from crime.

Thank you for taking time to review this important information and for helping to make TAMIU a safer community for all. For more information or questions regarding this document, please visit <http://www.tamiau.edu/adminis/police/>.

Since the last publication of the 2017 ASFSR on October 16, 2017, various crime categories and crime statistic totals for the 2016 calendar year have been updated. These modifications were made as a result of additional review of the University's call and incident logs. By law, TAMIU is required to distribute the revised ASFSR. Modifications to the 2017 ASFSR were made on September 26, 2018 to ensure the most accurate accounting of the University's statistics.

Record of Changes:

Change	Date of change	Reason for change
Crime statistics for 2015, 2016 updated	October 16, 2017	Burglary statistics decreased due to cases determined to be unfounded by sworn personnel.
Crime statistics for 2016 updated	September 26, 2018	Several crime category totals were modified. Crime statistics increased or decreased following a review of the University's call and incident logs prompted by additional employee training.

Sincerely,

Juan J. Castillo  
Vice President  
Finance & Administration

Kristina Morales  
Compliance Coordinator  
University Police

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### ***Texas A&M International University***

Founded in 1970, Texas A&M International University (TAMIU) was formerly named Texas A&I University of Laredo. Texas A&I University of Laredo initially offered only upper-level courses for junior and seniors. In 1989, the University became a Member of The Texas A&M University System and was named Texas A&M International University in 1993. In Fall of 1995, it expanded to a four-year institution, as authorized by the 74<sup>th</sup> Texas Legislature. Since its beginning, TAMIU has had a proud history of delivering world class and life changing education for the border region of South Texas. Our mission, to create leaders who can navigate increasingly complex global environments, is enhanced by Laredo's unique position as the largest inland port by the United States-Mexican border. Culturally diverse and international in force, TAMIU is in a powerful position to actively engage our global society from its location at the crossroads of the Americas.

### ***Annual Security Report and Disclosure of Crime Statistics***

The University Police Department (UPD) is responsible for preparing and distributing the Annual Security and Fire Safety Report (ASFSR) to comply with the *Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act* (the Clery Act). The Annual Security and Fire Safety Report is published every year on or before October 1<sup>st</sup> and contains three years of selected campus crime statistics and fire statistics, along with certain campus security policy statements in accordance with the Clery Act.

The Annual Security and Fire Safety Report including statistical information, is produced with input from various sources such as local law enforcement agencies, Housing and Residence Life, the Division of Student Success, and other campus officials/departments.

### ***Why an Annual Security Report?***

Enacted in 1990, *The Crime Awareness and Campus Security Act* was designed to assist students in making decisions which affect their personal safety and to ensure institutions of higher education provide students, prospective students, staff, and faculty with information they need to avoid becoming victims of campus crime. 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).

### ***TAMIU Police Department Overview***

The UPD provides law enforcement and security services to all University components including the academic campus and facilities throughout Webb County. All police officers employed by the University are fully certified Texas Peace Officers and have full arrest authority. They are licensed under [Article 51.212 of the Texas Education Code](#). As Peace Officers, the Department's armed police officers have the same authority to detain and arrest as municipal police officers. Our Campus Security Officers provide support to our police officers, but do not have arrest authority. When University Intercollegiate Athletic "home" events are hosted in off-campus venues, the UPD coordinates law enforcement efforts, including arrests, with the law enforcement agency that traditionally has jurisdiction over the venue.

Patrol is the core of the UPD. These officers are the ones who answer calls for service, respond to alarms, and enforce State criminal and traffic laws, as well as University policies. The department also has police officers responsible for specialized assignments including Criminal Investigations, Crime Prevention, Sexual and/or Domestic Assault Response Team, and Bicycle Patrol. The department currently has 33 authorized positions that include 20 State-certified Police Officers, one Campus Security Officer, six Licensed Tele-Communication Officers (Dispatchers), one Compliance Coordinator, one Administrative

Coordinator, and four Student Workers. The department maintains a fully staffed Administrative Operations Division and Patrol Operations Division.

To provide a safe campus for our students, staff, faculty and visitors, the department has uniformed officers on patrol 24-hours a day, year round. To provide this around-the-clock coverage, our officers work in three shifts. Unarmed Campus Security Officers work closely with our armed Patrol Officers by patrolling University properties and providing other customer services throughout the TAMIU community. The Campus Security Officers have jurisdiction to operate on TAMIU owned or controlled property while Patrol Officers may also exercise authority beyond the University in certain situations.

The UPD is computer linked to City, State and Federal criminal justice agencies, providing access to criminal records, wanted persons, stolen property, and vehicle information. All crimes reported to the UPD are investigated and referred for prosecution through the appropriate officer of the court or subdivision thereof, when appropriate. Criminal matters involving University students may also be referred to University administration for disciplinary action.

#### Working Relationships

The UPD maintains a close working relationship with the Laredo Police Department (LPD), Laredo Fire Department, Laredo Independent School District (LISD), United Independent School District (UISD), Laredo Community College (LCCPD), Webb County Sheriff's Office (WCSO), and US Homeland Security divisions. UPD has established Memoranda of Understanding (MOU) with these agencies to facilitate cooperation in the investigation of alleged criminal offenses/activities, enforcement of State and Federal laws, and coordination of additional assistance and resources when necessary. The UPD also works closely with the Texas Alcoholic Beverage Commission (TABC) to help stem the illegal and dangerous use of alcohol by minors. This includes providing information on individuals and businesses who engage in the illegal sale of alcoholic beverages.

#### Off-Campus Student Groups

TAMIU does not currently recognize any off-campus housing or off-campus student organization facilities that fall outside of TAMIU's Clery Geography. Should a TAMIU student(s) be involved in an off-campus incident, the UPD will assist the jurisdictional authority with their investigation, as requested.

#### General Procedures for Reporting a Crime or Emergency

**If you observe a crime or suspicious activity or person, call the UPD immediately at 956-326-2911.** Do not assume someone else has made the call. Try to provide the dispatcher with accurate, detailed information about the situation. The UPD will respond to all reports of suspicious activity—whether or not you choose to identify yourself. It is imperative that all crime and suspicious activity be reported to UPD accurately and promptly. When reporting an emergency, try to explain your needs as calmly as you can. Stay on the line until the dispatcher says it is OK to hang up. If you are unable to immediately report a crime, you should contact UPD as soon as you are able.

All members of the University community may report criminal activities or other emergencies in several different ways. The University encourages all campus community members to promptly and accurately report all crimes and other emergencies directly to UPD—including when the victim elects to, or is unable to, make such a report.

Dispatchers are available at these respective telephone numbers 24 hours a day (956-326-2100 or 956-326-2911-Emergency) to answer your calls. In response to a call, the TAMIU dispatcher will take the required action, either dispatching an officer or asking the victim to report to the TAMIU Police

Department to file an incident report. All UPD incident reports involving students are forwarded to the Office of the Associate Vice President for Student Success for review and referral to the Office of Student Conduct and Community Engagement for potential action, as appropriate. In the event that an incident involves a sexual assault UPD will notify the university's Title IX Coordinator as required. The UPD investigators will investigate a report when it is deemed appropriate. Additional information obtained via any investigation involving students may also be forwarded to the Office of Student Conduct and Community Engagement as part of the conduct review process.

### To Report a Crime

In the event anyone has information regarding crimes or emergencies on campus, they should immediately notify the UPD via telephone.

	Emergency	Non-Emergency
Campus Telephone:	911 or 2911	2100
Non-Campus or Cellular Telephone:	911 or 956-326-2911	956-326-2100

Emergency (blue light) phones are located on the grounds of our residential and athletic facilities. These devices are directly connected to UPD dispatchers and only require an individual to push the "Emergency" button to activate and establish the connection to the UPD. These devices are tested monthly to ensure they are in working order.

Most of our class and meeting rooms also have campus phones that allow students to contact the UPD by dialing 911 or 2911. TAMIU is interconnected with the City of Laredo Communication Center; all callers using 911 are connected first to the City of Laredo and then transferred to TAMIU PD once it is confirmed that the caller is on campus. Callers who dial 2911 (campus phone) or 956-326-2911 are directly connected to the UPD.

If you would like to report a crime in person, the UPD office is located in the Sue and Radcliffe Killam Library, Room 005 (Basement).

### General Informational Notifications

Annually, the Office of Public Relations, Marketing and Information Services (PRMIS) sends out various broadcast notices including information about the ASFSR and Emergency Preparedness and Planning to the TAMIU community via Uconnect (the University's internal, official communications portal) about the Report's availability and where copies may be obtained. TAMIU community members can access Uconnect using their Net ID and password.

### Confidential Reporting

If you are the victim of a crime and do not want to pursue action within the University's investigation process or the criminal justice system, you may want to consider filing a confidential report. A UPD officer can file a report on the details of the incident without revealing the victim's identity in cases of sexual assault and stalking. The purpose of a confidential report is to maintain confidentiality while taking steps to ensure the future safety of the complainant and the University community. With such information, the University can keep an accurate record of the number of incidents involving persons on campus, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community of potential dangers. Reports filed in this manner are counted and disclosed in the crime statistics published in the Annual Security Report. When the report involves allegations of sexual harassment (including sexual violence), the information is made available to the University's Title IX Coordinator. *Please refer to page 67 for a list of Campus Security Authorities (CSAs).*



### *Professional and Pastoral Counselors*

While the UPD always requests that all crimes on the campus be reported promptly, we do support professional and pastoral counselor's professional obligations to not disclose/report certain incidents. Should a professional or pastoral counselor determine that police involvement and reporting is needed, the UPD will work with the counselor to respond appropriately. For statistical reporting purposes, professional and pastoral counselors may utilize our Confidential Reporting process to ensure that these incidents can be reviewed and included in our annual statistical reports. Under Texas law and TAMUS policy, there are times when these types of counselors are required to disclose identifying client information, regarding certain crimes or acts. The counselor will inform the individual should disclosure be required. The University does not require pastoral and professional counselors to notify individuals they are counseling of the option to report crimes on an anonymous or confidential basis for inclusion in the annual statistical disclosure of crime statistics unless they would like to do so. The University does encourage the entire TAMIU community, including those who are exempt from reporting, to report any crimes if they are able.

### *Monitoring and Recording of Criminal Activity by Students at Non-campus locations of Recognized Student Organizations*

TAMIU does not have any officially recognized student organizations that own or control housing facilities in or outside the TAMIU core campus.

### *Timely Warnings and Safety and Security Alerts*

Students, faculty, staff, community members, and guests are encouraged to report all crimes and public safety-related incidents to the UPD in a timely manner to aid in providing accurate and timely warning notices to the community when appropriate and to ensure inclusion in annual crime statistics. In the event that a crime is reported within the TAMIU Clery Geography (On-Campus, Public Property and Non-Campus Property) that, in the judgment of the UPD and in consultation with responsible authorities when time permits, constitutes a serious or continuing threat, a campus wide "timely warning" notice will be issued.

The Director of University Police or a designee is responsible for reviewing the specifics of each incident to determine if a timely warning notification is required. When it is determined that an alert should be issued, they are generally written by the Director of University Police or a designee and distributed by a TAMIU PD dispatcher to the University community.

#### Timely Warnings

All cases are reviewed for the need of a timely warning notification and the final determination, using the Clery Reportable Crimes listing and their associated definitions, is recorded in the case file. A report that is filed more than five days after the date of the alleged incident may not allow the UPD to post a "timely" warning to the community. While this standard generally holds true, it is important to note that all cases are reviewed individually and determinations for all aspects of the case are made on their own merits. If, after reviewing a case, it is determined that there is a serious or continuing threat to students and employees, then a timely warning is warranted.

Timely warnings include information to help the community make informed safety decisions, to prevent future crimes of a similar nature, to provide suspect descriptions (when appropriate) and victim characteristics (when appropriate) and contact information for the UPD.

### Distribution of Timely Warnings, Safety & Security Alerts

Timely Warnings and Alerts, and any required updates to the TAMIU community about any particular case, may be distributed via mass email or text message, appropriate social media outlets, or digital signage. There may also be postings on the TAMIU website. Safety and Security Alerts are usually distributed for the following Uniform Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) classifications: major incidents of arson, murder/non-negligent manslaughter, and robbery. Incidents of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case and whether there is a continuing threat to the campus community. For example, if an assault occurs between two students who have a disagreement, there may be no on-going threat to other TAMIU community members, and a timely warning would not be distributed. In cases involving sexual assault, they are often reported long after the incident occurred, thus distributing a “timely” warning notice to the community is not required. Sex offenses will be considered on a case-by-case basis depending on when and where the incident occurred, when it was reported, and the amount of information known by the UPD. Alerts may also be issued for any other Clery or non-Clery reportable crime classifications, as deemed necessary, not only for the crimes listed above.

### ***Declaration of a Campus Emergency, Emergency Notifications and Evacuations***

It is the policy of TAMIU to respond to all threats seriously and implement our Emergency Management Plan accordingly. There are times when the Director of University Police or a designee may declare a campus emergency that dictates the immediate implementation of emergency procedures including the emergency evacuations of buildings, a part of campus, or the entire campus. The notification will be made without delay and will take into account the safety of TAMIU’s community unless issuing the notification will, in the professional judgment of responsible authorities, compromise the efforts of assisting a victim, or the containment, response and/or mitigation of the emergency. Should this course of action be taken, all members of the campus community need to listen to and follow the instructions of emergency personnel. Using our available communication methods (e.g. email, text messages, DustyALRT, social media, TAMIU website, etc.), the Director of University Police or a designee will issue notification to the campus community and issue another notification when the emergency or threat has passed.

All cases are reviewed before issuing an emergency notification focusing on any significant emergency or dangerous situation and on any Clery Reportable Crimes to immediately notify the campus community by using the Emergency Notification System and/or DustyALRT. The Director of University Police or his/her designee will determine whether an emergency notification is necessary; notifications may be drafted and distributed by either UPD or by the Office of Public Relations, Marketing and Information Services (PRMIS). Emergency notifications should also include information to help the TAMIU community make informed safety decisions, information on how to prevent future crimes of a similar nature, suspect descriptions (when appropriate), victim characteristics (when appropriate) and contact information for the UPD.

TAMIU utilizes a broad spectrum of platforms and devices as part of its Emergency Notification System. Primary to this effort is the DustyALRT Emergency Notification System which can send messages using one or all of the following methods: email, text, social media, the University website, active crawl notifications, classroom notifications, and an outdoor public address system on campus. DustyALRT communicates alert, closure, emergency and weather event information by SMS text message, official University email accounts, and official Facebook and Twitter accounts. The system and its various supplements (notification system and public address system) are only activated to provide official notification of critical emergencies (i.e., situations that pose an imminent threat to the community). TAMIU policy is to notify the campus community, via the DustyALRT Emergency Notification System,

upon confirmation of a significant emergency or dangerous situation involving immediate threat to the health or safety of students or employees on campus. All faculty, staff and students are highly encouraged to register at <http://dustyalrt.tamtu.edu>.

### Emergency Procedures

TAMTU has a comprehensive written Emergency Management Plan and Standard Operating Procedures in place. The Plan is administered by the Emergency Management Team which draws its membership from University division, department, and office levels. The Emergency Management Plan is available by contacting the Office of Environmental Health and Safety at 956-326-2194. Environmental Health and Safety, in conjunction with Finance and Administration, Housing and Residence Life, Physical Plant and the UPD, review the Plan annually. This working group may conduct both tabletop and live drills designed to test the Emergency Management Plan.

In conjunction with other emergency agencies, the University conducts emergency response exercises each year, such as tabletop exercises, field exercises, and tests of the emergency notification systems on campus. These exercises, which may be announced or unannounced, are designed to assess and evaluate the emergency plans and capabilities of the institution.

Each test is documented and includes a description of the exercise, the date and time of the exercise, and whether it was announced or unannounced.

The campus publicizes a summary of the emergency response and evacuation procedures via Uconnect at least once each year to meet all of the requirements of the Higher Education Opportunity Act.

### **Emergency Evacuation Procedures**

The emergency evacuation procedures are tested at least once each year. Students and employees learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. The UPD does not tell building occupants in advance about the designated locations for long-term evacuations, because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, staff on scene will communicate information to students regarding the developing situation or any evacuation status changes.

TAMTU has two residential facilities and therefore is required to do annual fire drills. The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. TAMTU Housing & Residence Life, uses evacuation drills as a way to educate and train occupants on fire safety issues specific to their building. During the drill, occupants “practice” drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm.

### General Evacuation Procedures

At the sound of a fire alarm, or if you are instructed to evacuate, immediately leave your work or study area and proceed to the nearest exit to leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and notify the UPD at 956-326-2911, or dial 911 to have a dispatcher notify the UPD of the situation taking place. If you find yourself in this type of situation, the following steps are important to keep in mind:

1. Remain Calm.
2. Do NOT use elevators, use the stairs.

3. Assist the physically impaired. If he/she is unable to exit without using an elevator, secure a safe location near a stairwell, and immediately inform the UPD or the responding Fire Department of the individual's location. Evacu-Trac chairs may be available in the building to assist individuals with mobility impairments.
4. Proceed to a clear area at least 150 feet from the building.
5. Keep all walkways, hydrants, streets, and fire lanes clear for emergency vehicles and personnel.
6. Do not re-enter the building until directed to do so by the UPD or Building Emergency Coordinators (BECs).

#### *Shelter-in-Place Procedures when needed –What it means to “Shelter-in-Place”*

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors because leaving the area may expose you to that danger. Thus, to “shelter-in-place” means to make a shelter of the building you are in until it is safe to go outside.

#### *Basic “Shelter-in-Place” Guidance*

If an incident occurs and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to come out. If your building is damaged, take your personal belongings (purse, wallet, access card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest University building quickly. If police or fire department personnel are on the scene, follow their directions.

#### *How You Will Know to “Shelter-in-Place”*

A shelter-in-place notification may come from several sources—the UPD, Housing & Residence Life staff members, other University employees, Local PD, or other authorities utilizing the University’s emergency communications tools.

#### *How to “Shelter-in-Place”*

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise during emergencies that involve toxic vapors, harsh weather conditions, hazardous spills, etc., follow these steps unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, quickly proceed to the nearest building or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside. It should be:
  - An interior room (bottom level of a building is preferred);
  - Above ground level; and
  - Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms may be necessary.
3. Close vents to ventilation systems as you are able. (University staff will turn off the ventilation as quickly as possible. Note, this may not always be done as it depends on the situation taking place.)
4. Further instructions may be relayed via DustyALRT, mass notification, email, etc. TV and radio may also be utilized.
5. Make yourself comfortable.

***Notices to the Community***

It is the policy of TAMIU to notify the campus community of any verified threat or situation that poses imminent danger to the campus. In the event of an emergency, TAMIU will initiate and provide, without delay, immediate notifications to the appropriate segment(s) of the University community. Upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of the campus community occurring on campus, the Director of University Police or his/her designee will review all relevant information regarding the threat and determine responses and communication platforms to be initiated. There may be times when sharing information regarding specific incidents with our MOU partners is necessary. In those instances, the Director of University Police or his/her designee will contact the appropriate agency.

Occasionally, it may be to the University’s advantage to enlist the City of Laredo and Webb County officials to mitigate situations on campus or involving the campus community. The Director of University Police or his/her designee, in conjunction with other University administrators, local first responders and/or the National Weather Service, shall have the responsibility to confirm the emergency and determine if such notification is necessary. In the event that it is determined that outside notification is required, the Director or his/her designee, in consultation with Public Relations, Marketing and Information Services (PRMIS), will devise (write) the external message and communications will issue the initial message and any follow-up messages to the community, or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

<b>System to Use</b>	<b>Primary Message Creator</b>	<b>Back-Up Message Creator</b>	<b>Authority for Approving &amp; Sending Messages</b>	<b>Primary Message Sender/Distributor</b>	<b>Back-Up Message Sender/Distributor</b>
Primary	Director of University Police	Captain of UPD	Incident Commander	Dispatcher	Director of PRMIS
Secondary	Director of PRMIS	Associate Director of PRMIS	Incident Commander	Dispatcher	Office of PRMIS

To receive emergency text messages, students, faculty, and staff may opt-in by visiting the following website: <https://dustyalrt.tamtu.edu/welcome.aspx>.

The local news media, radio stations, and newspapers may be utilized to disseminate emergency information to members of the larger community including neighbors, parents, and other interested parties. The larger community can also access emergency information via the TAMIU website and/or social media (if available).

***Follow-up or Status Updates***

As appropriate, and as soon as possible, and so as not to imperil any on-going investigation, the Director of University Police or a designee will provide updates to the campus community via mass email or text message, appropriate social media outlets, digital signage, or any other approved and appropriate communication method that is most pertinent for the message being communicated. Minimally, notification will be sent via email or text message.

*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*

are never included in emergency notifications or timely warnings. Timely Warning Notices will be distributed as soon as pertinent information is available, in a manner that withholds the names of victims as confidential, and with the goal of aiding in the prevention of similar occurrences. Emergency Notifications will be distributed immediately upon confirmation that a dangerous situation or emergency exists or threatens the campus community.

*If a crime or incident of sexual misconduct poses an immediate threat to the campus community, where an emergency notification or a timely warning must be given to protect the health or safety of the larger University community, TAMIU may not be able to maintain confidentiality. Immediately threatening circumstances include the use of force, a weapon, crimes of violence or other circumstances that represent a serious and ongoing threat to TAMIU students, faculty, staff or visitors.*

### ***Campus Security and Access***

The TAMIU campus is nestled in rolling ranch lands on the eastern edge of Laredo. Mirroring TAMIU's growth, land in the vicinity of the campus is being developed and several new residential subdivisions and shopping centers have been built in the last few years. The area immediately surrounding the campus remains largely undeveloped. In keeping with TAMIU's mission of access for all, the campus is public and open. There are no general prohibitions to keep the public from entering campus; however, the UPD does reserve the right to bar individuals considered a threat to the University community. The UPD is sworn to uphold and enforce all City, State and Federal laws. The University has a strong code of conduct for all members and guests of our community, especially as it relates to enforcement of fighting, weapons, alcohol and other drugs. The UPD regularly patrols all campus buildings, including residential facilities.

### ***General Provisions***

It is unlawful for any person to trespass on the grounds of any State institution of higher education or to damage or deface any of the buildings, statues, monuments, memorials, trees, shrubs, grasses, or flowers on the grounds of any State institutions of higher education. ([Texas Education Code Section 51.204](#))

The governing board of a State institution of higher education or its authorized representatives may refuse to allow persons having no legitimate business to enter 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](#))

### ***Access to Academic and Administrative Buildings***

Access to campus buildings and facilities varies based on the time of year and events being held. Generally, the University observes a daily open schedule of Sunday through Saturday, 6:30 a.m. to 10:30 p.m. During this time period, buildings are open for general circulation by University employees, contractors, students, and the general public. Outside of our general circulation hours, members of the TAMIU community may request access to buildings following the established access control policy. Authorized employees may be able to access buildings after hours with their employee ID. Students may be granted access by the UPD with prior instructor approval.

### ***Access to Residential Buildings and Areas***

Working with our housing manager and partner, American Campus Communities, TAMIU Housing and Residence Life facilities utilize a multi-layer approach to access. By policy, access and use of the residential facilities is restricted to residents, their approved guests, and other authorized members of the University community. The University's current housing includes four residence halls (Residential Learning Community) and a garden-style apartment complex (the University Village). The Residential

Learning Community facility utilizes card swipe technology for buildings and electronic keys for individual rooms. The University Village uses the electronic keys to enter through the main door, and regular mechanical keys to enter individual rooms.

### *Security Maintenance*

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. The UPD regularly patrols all campus buildings and reports malfunctioning lights and other unsafe physical conditions to the appropriate facilities management group (physical plant, housekeeping, and/or housing facilities). Other members of the University community should promptly report any maintenance issues, interior or exterior, to facility services staff. Most of our facilities, housekeeping and housing maintenance staff are provided unique identifying uniforms and/or name badges, enabling University community members to easily identify our facility service teams. Some individuals are not required to wear a uniform or a name badge to complete their daily duties.

### ***Notification of Missing Student***

If a member of the University community has reason to believe that a student, residing in on-campus housing is missing, they must immediately notify the UPD by calling 956-326-2100. The UPD will generate a missing person report and initiate an investigation. The UPD is to determine if s/he has been attending class. The Provost and Vice President for Academic Affairs and Vice President for Student Success are to be notified as appropriate. If, after investigating the missing person report, the UPD determines the student is missing and has been for more than 24 hours, the UPD will notify the local law enforcement agency or agencies, unless that was the entity that made the determination that the student is missing, and the student's missing person contact or the designated person listed as soon as practicable, and no later than 24 hours after a determination that the student is missing. Additionally, if need be, the UPD will coordinate with the Director of Public Relations, Marketing and Information Services for public announcements.

On-campus students have the option (annually) to designate one or more people to be notified within 24 hours of the determination that the student is missing. A student may wish to identify a separate missing person confidential contact to be notified should they go missing. If a student exercises this option, only the confidential contact shall be notified. This information will be kept confidential, accessible only to authorized campus officials, and disclosed only to law enforcement personnel in furtherance of a missing person investigation. Irrespective of whether a student has designated an emergency contact person to be notified, if the student is less than 18 years old and not an emancipated individual, Federal law requires that TAMIU notify a custodial parent or guardian, in addition to notifying any additional contact person designated by the student within 24 hours of the determination that the student is missing.

### ***Procedures TAMIU will follow in the Event of a Missing Student***

Should the UPD investigate and determine that a residential student is missing, contact will then be made to the missing person contact, if contact information has been provided, within 24 hours of the determination that the student is missing by the UPD. If the student is under the age of 18 and is not an emancipated individual, the UPD will notify the student's parent or guardian and any other designated contact person within 24 hours. Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, TAMIU will inform the Local PD (or the local law enforcement with jurisdiction) that the student is missing within 24 hours.

### *TAMIU PD Procedures for Non-Resident Students and TAMIU Employees*

Upon a notification of possible missing non-resident student or employee, TAMIU PD will notify local law enforcement or the appropriate local law enforcement jurisdiction.

### ***Crime Statistics***

The information provided here is intended to provide context for the crime statistics reported as part of compliance with the Clery Act.

The statistics in this Report are published in accordance with the standards and guidelines used by the Federal Bureau of Investigations (FBI) Uniform Crime Reporting Handbook and relevant federal law. The UPD submits the annual crime statistics published in this Report to the U.S. Department of Education. The statistical information gathered at the federal level is available through the Department of Education's website. In addition, TAMIU produces daily crime logs available for review at any time via the TAMIU website or by clicking on one of the links below.

A written request for statistical information is made annually to external law enforcement agencies that have jurisdiction for a covered University event and Campus Security Authorities (CSA). A designated CSA may include deans, directors, and department heads, residence and student life staff and non-professional counselors (e.g., student mentors and first and second year advisors). It is important to note that our Student Counseling Services are not required to report crimes as they are exempt to do so under the Clery Act; but must comply with State and Federal mandates for the reporting of certain incidents.

### ***Daily Crime and Fire Logs***

As required by the Clery Act, the UPD publishes logs detailing Clery reportable crimes and residential fires each business day. These logs are maintained to minimally cover a 60-day period and may be found on the UPD website by clicking the links below. A printed copy may be viewed by visiting UPD offices.

Crime Log: <http://www.tamiau.edu/adminis/police/2016DailyCrimeLog.shtml>

Fire Log: <http://www.tamiau.edu/adminis/police/FIRELOG2016.shtml>

### ***Current:***

Crime Log: <http://www.tamiau.edu/adminis/police/2017DailyCrimeLog.shtml>

Fire Log: <http://www.tamiau.edu/adminis/police/FIRELOG2017.shtml>

If any member of the TAMIU community or public would like to view the crime or fire logs covering a period of time outside of this 60-day window, they are asked to visit the UPD office. Requests for this information will be processed within two business days.

### ***Definition of Campus Security Authorities:***

Campus Security Authorities (CSA) are members of the University community who have a responsibility for the safety/security of the campus or the development of the community of students and campus life. All UPD personnel are classified as CSA's. Additionally, a staff member is a CSA if they have responsibility for the development of relationships and participation of student activities outside of the classroom. Examples of non-law enforcement CSA's on our campus include positions in student life, student housing, student organizations, and peer mentors. CSA contact information and the position listings of certain TAMIU CSA's may be found in the Resources Section (*please note that the CSA list is not a comprehensive list of CSA's*). Members of the University community may report crimes to any CSA, who in turn are duty-bound to report that information to the UPD.

### ***Definitions of Reporting Methods:***

**Reported to the UPD:** Crime statistics from all incidents that were reported to the UPD. If an incident was reported to UPD, the statistics would be counted in this column.



**Reported to an External Law Enforcement Agency (LPD/LISD/UISD/WCSO):** Crime statistics reported to external law enforcement agencies but NOT reported to the UPD. These crimes may have occurred on/in on-campus property, non-campus property or public property. It is important to note that external law enforcement agencies are not required to classify incidents using Clery definitions.

**Reported to Non-Police:** Crime statistics reported to individuals at the institution who are CSA's as defined by Federal law. CSA's include, but are not limited to: uniformed security, student life staff, student housing staff, and student conduct staff.

*Definitions of Geography:*

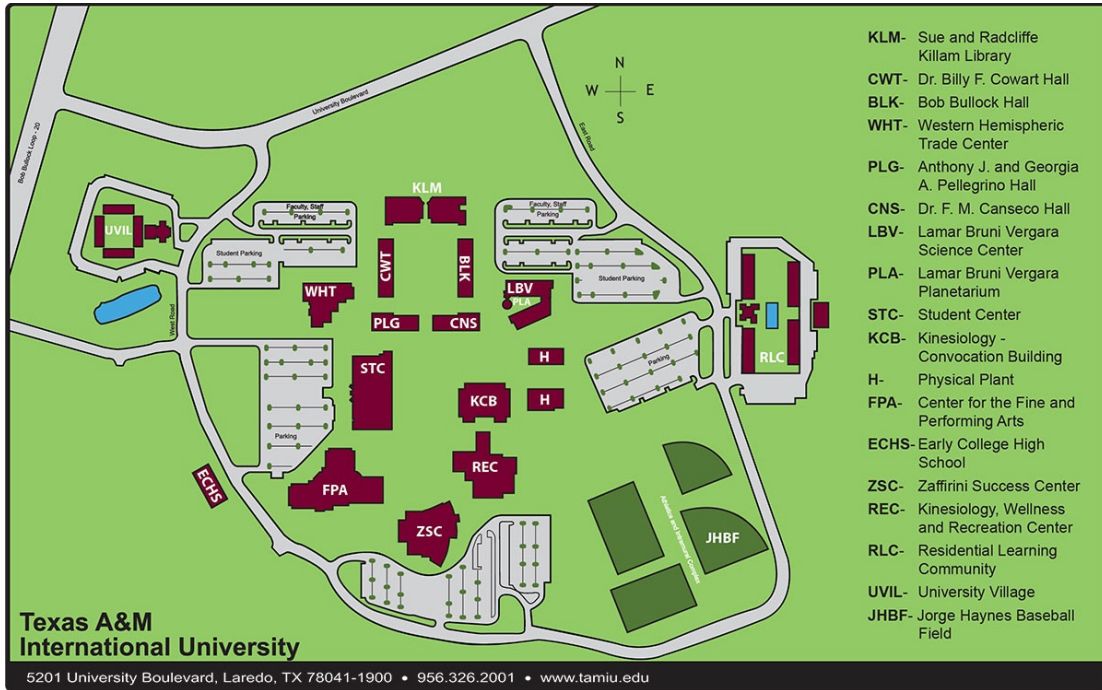
**On-Campus:** Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to the institution's educational purposes including residence halls, and any building or property that is owned by the institution, but controlled by another person, is frequently used by students, and supports institutional purposes.

*\*Statistics for University residential facilities for students are recorded and included in both the all on-campus category and the on-campus residential only category.*

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

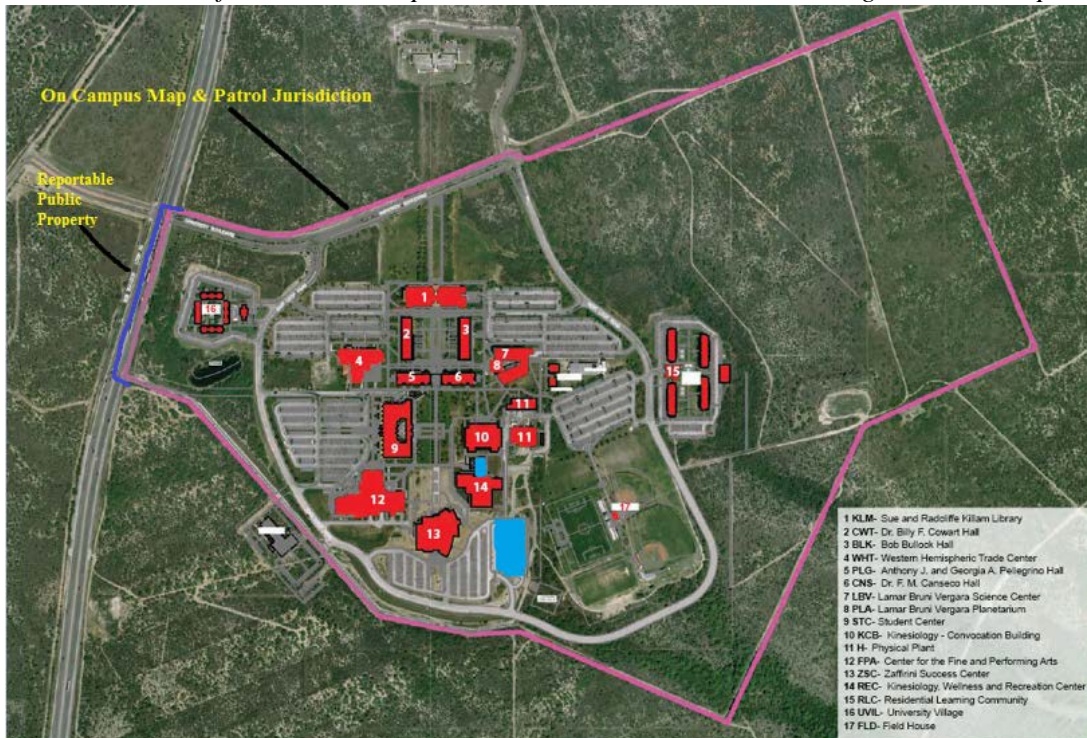
**Public Property:** All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the University.

*Texas A&M International University Clery Geography*



*Last Updated: 12-02-2016*

*\* The blue area to the left hand side is a pond and the small blue area on the right is the RLC pool.*



*\*The pink line represents both our core campus boundary and patrol jurisdiction. There is no public property within our TAMUI property, only immediately adjacent to our core campus (Loop 20; the blue line).*

*Definition of Categories (as defined by the Clery Act)*

**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 use of a weapon or by 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 or probably would result in a serious potential injury if the crime were successfully completed.

**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, etc.

**Burglary:** The unlawful entry of a structure to commit a felony or a theft; includes unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking, safecracking, all attempts to commit any of the aforementioned.

**Dating Violence:** An act of violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. For this purpose, the existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

**Disciplinary Referrals:** Individuals referred to the Office of Student Conduct and Community Engagement (SCCE) for liquor law, drug law, and illegal weapons violations by the Office of Student Success. The numbers include incidents that are reported via the UPD incident reports and reports provided directly to SCCE from other members of the TAMIU community. In addition, any referrals or cases involving any Clery reportable crime are included in the report generated from SCCE.

**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.

**Drug Abuse Violations:** Violations of State and local laws relating to the unlawful possession, sale, use, cultivation and 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).

**Liquor Law Violations:** The violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

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

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. (All cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned—including joy riding are to be classified as motor vehicle thefts).

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

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

**Sexual Assault:** An offense that meets the definition of rape, fondling, incest or statutory rape as used in the FBI's Uniform Crime Reporting system. A sex offense is any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. The [Texas A&M International System Regulation 08.01.01, Civil Rights Compliance](#), describes the following as the definition of consent: clear and voluntary agreement to engage in a specific sexual activity. A person who is asleep or mentally or physically incapacitated, either through the effect of drugs, alcohol, or for any other reason, or whose agreement was made under duress, threat, coercion, or force cannot give consent.

“*Consent*” means the active and affirmative agreement to participate in the activity. Consent may be withdrawn at any time.

“*Without consent*” is defined in the Texas Penal Code [Texas Penal Code section 22.011\(b\)](#).

**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, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

**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 or physical 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.

**Sex Offenses – Non-Forcible:** Unlawful, non-forcible sexual intercourse.

**Stalking:** Is the act of engaging in a course of conduct directed at a specific person that would cause a reasonable person to: fear for the person's safety or the safety of others; or suffer substantial emotional distress.

**Weapon Law Violations:** The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: the manufacture, sale, purchase, transportation, concealment, use, or possession of deadly weapons; the carrying of deadly weapons, concealed or openly; furnishing deadly weapons to

minors; aliens possessing deadly weapons; cutting instruments, explosives, incendiary devices or other deadly weapons; all attempts to commit any of the aforementioned.

**Hate Crime:** Any of the aforementioned offenses (except for manslaughter by negligence), and any other crime involving bodily injury, reported to local police agencies or to a CSA that is a criminal offense and manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim.

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

**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.

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

**Gender Identity:** A preformed negative opinion or attitude toward a person (or group of persons) because the person’s internal sense of being male, female, or a combination of both may be different from the gender assigned at birth—(e.g., bias against transgender or gender non-conforming individuals).

**National Origin:** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived country of birth.

**Race:** A preformed negative attitude toward a group of persons who possess common physical characteristics. For example, someone’s 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.

**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, Atheists, Jews, etc.).

**Sexual Orientation:** A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex.

**Additional Hate Crime Definitions:** In addition to any of the crimes above, the following acts are now reportable as Hate Crimes, when motivated by prejudice on account of race, gender, religion, sexual orientation, gender identity, ethnicity, national origin, or disability.

**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.

***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 the subject property.

***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.

*\*The majority of the definitions listed above were taken verbatim from the Handbook for Campus Safety and Security Reporting, 2016 Edition with the intent of assisting readers to fully understand how Clery reportable crimes are demarcated.*

TAMIU reports the crimes required by the Clery Act that occur on or within the University’s Clery Geography that were reported to a CSA, law enforcement agency, and/or the UPD.

## Crime Statistics

Criminal Offense (Reported By Hierarchy)	Year	On Campus	Non- Campus	Public Property	Total	Residential Facilities*
Murder/Non Negligent Manslaughter	2016	0	0	0	0	0
	2015	0	0	0	0	0
	2014	0	0	0	0	0
Manslaughter by Negligence	2016	0	0	0	0	0
	2015	0	0	0	0	0
	2014	0	0	0	0	0
Rape	2016	6	3	0	9	4
	2015	7	0	0	7	6
	2014	0	0	0	0	0
Fondling	2016	4	1	0	5	1
	2015	0	0	0	0	0
	2014	0	0	0	0	0
Incest	2016	0	0	0	0	0
	2015	0	0	0	0	0
	2014	0	0	0	0	0
Statutory Rape	2016	0	0	0	0	0
	2015	0	0	0	0	0
	2014	0	0	0	0	0
Robbery	2016	0	0	0	0	0
	2015	0	0	0	0	0
	2014	0	0	0	0	0
Aggravated Assault	2016	3	0	0	3	2
	2015	0	0	0	0	0
	2014	1	0	0	1	0
Burglary	2016	12	0	0	12	6
	2015	8	0	0	8	2
	2014	11	0	0	11	10
Motor Vehicle Theft	2016	0	0	0	0	0
	2015	2	0	0	2	0
	2014	2	0	0	2	0
Arson	2016	0	0	0	0	0
	2015	0	0	0	0	0
	2014	0	0	0	0	0
Liquor Law Arrests	2016	10	0	0	10	10
	2015	41	0	0	41	41
	2014	25	0	0	25	25
Liquor Law Violations Referred for Disciplinary Action	2016	1	0	0	1	1
	2015	4	0	0	4	3
	2014	7	0	0	7	6
Drug Law Arrests	2016	13	0	0	13	7
	2015	3	0	0	3	1
	2014	10	0	0	10	7
Drug Law Violations Referred for Disciplinary Action	2016	8	0	0	8	7
	2015	1	0	0	1	1
	2014	2	0	0	2	0
Weapons Law Arrests	2016	0	0	0	0	0
	2015	1	0	0	1	0
	2014	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2016	0	0	0	0	0
	2015	1	0	0	1	0
	2014	0	0	0	0	0
Domestic Violence	2016	4	1	0	5	2
	2015	3	0	0	3	3
	2014	2	0	0	2	2

<b>Dating Violence</b>	2016	9	0	0	9	5
	2015	1	0	0	1	1
	2014	1	0	0	1	0
<b>Stalking</b>	2016	13	0	0	13	4
	2015	10	0	0	10	3
	2014	3	0	0	3	0

*\*Note: Residential Facility Crime Statistics are a subset of the On Campus Category, i.e., they are counted in both categories.*

*\*\*The 2015 crime statistics were categorized by location based upon the institution's assessment of Clery Geography in effect during the calendar year in which the crimes were reported to a campus security authority or local law enforcement agency.*

#### **UNFOUNDED CRIMES:**

There was one (1) unfounded crime in 2015 and six (6) unfounded crimes in 2016.

#### **HATE CRIME REPORTING:**

There were no hate crimes reported for 2014 – 2015 – 2016.

### **JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT, AS AMENDED BY THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013**

The University prohibits all threats and acts of violence on the campus and other property and in connection with its programs and activities. This prohibition extends to sexual assault, domestic violence, dating violence and stalking by any student, staff member, faculty member or other person. The University encourages all members of the University community to report any such conduct, and will investigate and address complaints in a prompt, fair, and impartial manner. To that end, TAMIU issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a University official.

The full text of the University's prohibition on threats and violence by students is explained in the [TAMIU Student Handbook](#) which can be found online by clicking the link. The Student Handbook Articles 3, 6, 8, 9, and 11 outline all of the definitions and standards TAMIU uses to enforce the prohibitions.

The rights, responsibilities, and prohibitions of workplace violence for TAMIU employees are determined in a multi-layered approach as directed from The Texas A&M University System (TAMUS) through the issuance of [TAMUS Policies and Regulations](#) and by the University, through the issuance of [TAMIU Rules and Procedures](#). The full text of these directives is available by clicking the above links.

For the purpose of clarity, in addition to using the definitions outlined by the Clery Act and the Violence Against Women Act (VAWA), TAMIU follows the codes and statutes of the State of Texas. TAMIU generally ascribes the following terms and definitions. Additional details are outlined by the Texas Family and Penal Codes which are linked below.



Violence – the use of physical force with intent, effect, or reasonable likelihood of causing pain, harm, injury or damage to any person or property. The term “violence” includes, without limitation, “domestic violence,” “dating violence,” and “sexual assault.”

Threats – words or actions intended, causing, or reasonably likely to cause pain, harm, injury, or damage to any person or property. The term “threats” includes without limitation, “stalking.”

Domestic Violence ([Texas Family Code 71.004](#)) – a crime of violence ([U.S. Code- Crime of Violence- Title 18](#)) committed by:

1. A current or former spouse or intimate partner of the victim;
2. A person with whom the victim shares a child in common;
3. A person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
4. 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.
5. Any other person, 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.
6. Family Violence (**domestic violence**) - an act, other than a defensive measure to protect oneself, by a member of a family against another member of the family that is intended to result in physical harm, bodily injury or sexual assault, or that is a threat that reasonably places the family member in fear of imminent physical harm, bodily injury or sexual assault.

Dating Violence ([Texas Family Code 71.0021](#)) – 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 determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition:

1. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse; and
2. Dating violence does not include acts covered under the definition of domestic violence.

Stalking – engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

1. Fear for the person’s safety or the safety of others; or
2. Suffer substantial emotional distress.

For the purposes of this definition:

1. “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 or about a person, or interferes with a person’s property;
2. “Substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling; and

3. "Reasonable person" means a reasonable person under similar circumstances and with similar identities to the victim. Please click link below to read the State of Texas's definition ([Texas Penal Code Sec. 42.072](#)).

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

**Family Violence 71.004** *Referred to as: DOMESTIC VIOLENCE.* The State of Texas defines domestic violence as follows: 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.

**Dating Violence 71.0021** The State of Texas defines dating violence as follows:

(a) "Dating violence" means an act, other than a defensive measure to protect oneself, by an actor that:

(1) is committed against a victim or applicant for a protective order:

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

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

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

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

(1) The length of the relationship;

(2) The nature of the relationship; and

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

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

**Sexual Assault 22.011** The State of Texas defines sexual assault as follows:

(a) A person commits an offense if the person:

(1) Intentionally or knowingly causes the penetration of the anus or sexual organ of another person by any means, without that person's consent; causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or

(2) Intentionally or knowingly: causes the penetration of the anus or sexual organ of a child by any means; causes the penetration of the mouth of a child by the sexual organ of the actor; causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or causes the mouth of a child to contact the anus or sexual organ of another person, including the actor.

- ***Without Consent***

(b) A sexual assault under Subsection (a)(1) is without the consent of the other person if: [Texas Penal Code section 22.011\(b\)](#)

(1) The actor compels the other person to submit or participate by the use of physical force or violence;

(2) The actor compels the other person to submit or participate by threatening to use force or violence against the other person, and the other person believes that the actor has the present ability to execute the threat;

(3) The other person has not consented and the actor knows the other person is unconscious or physically unable to resist;

(4) The actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it;

(5) The other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring;

(6) The actor has intentionally impaired the other person's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge;

(7) The actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat;

(8) The actor is a public servant who coerces the other person to submit or participate;

(9) The actor is a mental health services provider or a health care services provider who causes the other person, who is a patient or former patient of the actor, to submit or participate by exploiting the other person's emotional dependency on the actor;

(10) The actor is a clergyman who causes the other person to submit or participate by exploiting the other person's emotional dependency on the clergyman in the clergyman's professional character as spiritual adviser; or

(11) The actor is an employee of a facility where the other person is a resident, unless the employee and resident are formally or informally married to each other under Chapter 2, Family Code.

(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: the actor was not more than three years older than the victim and at the time of the offense: was not required under Chapter 62, Code of Criminal Procedure, to register for life as a sex offender; or 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 the victim: Was a child of 14 years of age or older; and was not a person whom the actor was prohibited from marrying or purporting to marry or with whom the actor was prohibited from living under the appearance of being married under Section 25.01.

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

**Stalking 42.072.** The State of Texas defines stalking as follows: A person commits an offense if the person, on more than one occasion and pursuant to the same scheme or course of conduct that is directed specifically at another person, knowingly engages in conduct that: (1) constitutes an offense under Section 42.07, or that the actor knows or reasonably should know the other person will regard as threatening: Bodily injury or death for the other person; 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 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.

Consent – requires words or actions indicating a freely given (affirmative) agreement to have sexual intercourse or engage in other sexual activities. The lack of verbal or physical resistance does not by itself constitute consent. ([Texas Penal Code section 22.011](#)).

*\*Note: The above definitions are taken in verbatim from the Texas Penal Code.*

***Institutional Definition of Consent*** - Consent for sexual activity is that of a clear and voluntary agreement to engage in a specific sexual activity. A person who was asleep or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason, or whose agreement was made under duress or by threat, coercion, or force, cannot give consent.

*\*The definition of institutional consent can be found in the following link: [System Regulation 08.01.01, Civil Rights Compliance](#).*

### ***Sex Offender Registry***

The "Campus Sex Crimes Prevention Act" is a federal law enacted in 2000 that provides for the tracking of convicted, registered sex offenders enrolled as students at institutions of higher education, employed, or volunteering on campus. This Act amends the Family Educational Rights and Privacy Act of 1974 (FERPA) to clarify that nothing in that Act may be construed to prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders. Additionally, provided by State law, under section 121 of the Adam Walsh Child Protection and Safety Act of 2006, information on registered sex offenders may be obtained by law enforcement offices and/or jurisdictions.

The Texas Department of Public Safety (DPS) is the official record keeper for Sex Offender Registration information. 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 public web page can be found at Texas Sex Offender Registry (<https://records.txdps.state.tx.us/Sex-Offender/>).

### ***Reporting Violence and Threats***

The UPD encourages all campus community members to promptly report any and all crimes. At the request of a student or employee, TAMIU will provide assistance in notifying the proper authorities of any crime, especially those involving violence or threats that may not have occurred on campus.

***Procedures to follow if you are a Victim or Witness to Sexual or Relationship Violence or Threats***

After an incident of sexual assault, dating violence or domestic violence, the victim should consider seeking medical attention as soon as possible at Doctors Hospital. In Texas, evidence may be collected even if you choose not to make a report to law enforcement<sup>1</sup>. The victim is to be given the choice of reporting it to law enforcement, but if a report is not made, the victim will be ineligible for reimbursement of medical costs through the Crime Victim’s Compensation Program. Additionally, the victim is encouraged to file an information report or a third party report, but it is not mandatory. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours. This is recommended so that evidence may be preserved to assist in proving that the alleged criminal offense occurred or is occurring, for the purpose of obtaining a protective order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infections. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to University adjudicators/investigators and/or police.

To report an act of violence that is in progress or threatened on the TAMIU campus, call the UPD at 956-326-2911.

To report an act of violence that has ended or a threat that is not imminent, call the UPD at 956-326-2100.

To report an act of violence or threats to non-law enforcement, report as outlined below and/or email [titleix@tamiu.edu](mailto:titleix@tamiu.edu).

<b>IF ALLEGED OFFENDER IS A:</b>	<b>REPORT THE INCIDENT TO:</b>
<b><i>Student, Employee</i> (staff, administrator, student worker) or Third Party</b>	<b>Lauren A. Jones, J.D.</b>   Title IX Coordinator, 5201 University Boulevard, Killam Library, Room 159, Laredo, TX, 78041-1900, (956) 326-2857   <a href="mailto:titleix@tamiu.edu">titleix@tamiu.edu</a>
<b><i>Faculty Member</i></b>	<b>Dr. Kevin Lindberg</b>   Associate Provost   Title IX Deputy Coordinator, 5201 University Boulevard, Killam Library Room 333, Laredo, TX 78041-1900, (956) 326-2601   <a href="mailto:klindberg@tamiu.edu">klindberg@tamiu.edu</a>

Reports can also be made on TAMIU’s anonymous, electronic reporting website located at [www.tamiu.edu/reportit](http://www.tamiu.edu/reportit). Lastly, reports can also be made with the Office of Civil Rights (Dallas Office), U.S. Department of Education, 1999 Bryan Street, Suite 1620, Dallas, TX 75201-6810, (214)661-9600.

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<sup>1</sup> Under the Violence Against Women and Department of Justice Reauthorization Act of 2005, starting in 2009, states must certify that they do not “require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, reimbursement for charges incurred on account of such an exam, or both.”

The University provides all victims of violence and threats with written information explaining their rights and avenues available for reporting the crime to law enforcement. To that end, our Title IX Coordinator, in conjunction with the UPD, has developed a guide outlining available resources both on campus and in the community. Regardless of whether a victim elects to pursue a criminal complaint, or whether the offense is alleged to have occurred on or off campus, the University will assist victims of sexual assault, domestic violence, dating violence, and stalking. In addition, the University will provide both the victim and respondent with a written explanation of their rights and options. Such written information will include:

- the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred;
- information about how the institution will protect the confidentiality of victims and other necessary parties;
- a statement that the institution will provide written notification to students and employees about victim services within the institution and in the community;
- a statement regarding the institution's provisions about options for, available assistance with, and how to request accommodations and protective measures; and
- an explanation of the procedures for institutional disciplinary action.

Incidents involving violence and/or threats may be criminal in nature, and members of the University community who believe they have experienced either may, if they wish, file reports with the UPD at 956-326-2100 and/or with the Laredo Police Department at 956-795-2800. For all other police departments within the City of Laredo, the UPD may assist all individuals by providing contact information. When making a report, the reporting individual or victim will meet with a UPD official/local law enforcement official. The individual will be asked questions in the officials' attempt to identify a victim(s), a perpetrator(s), witness(es), as well as determine what is being alleged, when the crime occurred, where the crime scene is located to collect physical evidence, and to obtain detailed statements. Assistance to file a report is available from the UPD and non-sworn personnel such as Title IX Coordinators and/or any CSA. While not recommended, victims of violence and/or threats may also decline to notify law enforcement if they so choose.

Regardless of whether a report is filed with local law enforcement, it is important for individuals to preserve all evidence that could be relevant or assist in proving that an alleged criminal offense occurred and that might be needed to obtain a protective order.

In accordance with Federal law and in compliance with the Clery Act, TAMU discloses the statistics for all violations involving sexual assault, domestic violence, dating violence and stalking as they become known. These types of crimes will be logged in our Daily Crime Log and reviewed to determine if there is a pattern of violence. In all reports of sexual or family violence, a victim can request and ask the UPD to assign a pseudonym for the victim to help protect their identity and confidentiality pursuant to the [Texas Code of Criminal Procedures, Art. 57](#).

### **Procedures the University will follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking is reported**

The University has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking including informing individuals about their right to file criminal charges. Victims are also informed on the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services on and/or off

campus. Additional remedies to prevent contact between a complainant and an accused party may be utilized, such as housing, academic, transportation and working accommodations, if reasonably available. The University will make such accommodations if the victim requests them, or if the Title IX Coordinator or the Director of Student Conduct believe it is necessary to enact any protective measure or interim accommodation(s), if they are reasonably available, regardless of whether the victim chooses to report the crime to the UPD or local law enforcement. Students and employees should contact the Title IX Coordinator or the UPD if they would like to request any of the listed accommodations offered by TAMIU.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the University, these procedures will be followed:

#### **Procedures Institution will Follow**

1. Once a report is received by the Title IX Coordinator or Deputy Title IX Coordinator, the Coordinator (Title IX or Deputy Title IX) must notify the System Ethics and Compliance Office that a report has been received.
2. The Title IX Coordinator and/or Deputy must promptly conduct an initial investigation. At this time the victim will be provided with an overview of the Title IX process, their rights, and resources. In addition, during this time, the Title IX Coordinator and/or Deputy may collect evidence including, but not limited to, documentation, statements, and interviews from the complainant, respondent, and witnesses (if any).
3. Upon completion of the initial investigation, the Title IX Coordinator will determine whether or not further investigation is needed.

If the Title IX Coordinator determines that further investigation is necessary, then he/she will assign an investigative authority to complete the further investigation.

If the Coordinator determines that further investigation is not merited, then he/she may consult with the Office of General Counsel and either dismiss the case as untimely filed, baseless, or not a violation of the civil rights policy, close the case as a result of insufficient information to investigate, or refer the case to the appropriate office to handle the complaint if it is not related to civil rights.

4. If applicable, during the further investigation, the investigative authority is to review the complaint, collect supplementary evidence and make a determination based on the preponderance of the evidence. Upon completion of the further investigation, the investigative authority will draft an Investigation Report.
5. The Investigation Report will be submitted to the Office of General Counsel. The Office of General Counsel will conduct a review of the Investigation Report and provide the Title IX Coordinator with a legal review of the Report.
6. The Title IX Coordinator shall provide the Report to the investigative authority, who will then finalize the Investigation Report and submit it to the Title IX Coordinator, who will in turn provide it to the Office of General Counsel.
7. Upon approval by the Office of General Counsel, the final, approved Investigation Report is to be provided to the adjudicating administrator(s).
8. The adjudicating administrator(s) will render a written decision. The decision should be provided to the following: (i.) Complainant and respondent, concurrently; (ii.) the respondent's immediate supervisor and/or department head, if an employee; and (iii.) the investigative authority.
9. After receiving notification of the written decision, both the complainant and respondent will be given five University business days to file a written appeal which shall be provided to the Title IX Coordinator. The basis for all Title IX investigation appeals shall be: (i.) a procedural

error or omission that significantly impacted the outcome; (ii.) new evidence, unknown or unavailable during the investigation that could have significantly impacted the outcome; or (iii.) the appropriateness or severity of the sanctions.

10. The appellate process can be found in the following sections depending on whether the respondent is a student, staff member, or faculty member. [Student Handbook 9.04](#); [System Policy 12.01, Academic Freedom, Responsibility and Tenure](#); [System Policy 32.01, Employee Compliant and Appeal Procedures](#); [System Regulation 32.01.01, Complaint and Appeal Procedures for Faculty Members](#); and [System Regulation 32.01.02, Complaint and Appeal Process for Non-faculty Employees](#).
11. Decision of said appeal shall be final.

*\*The Title IX Coordinator will set deadlines for each step of this process, but circumstances may permit extensions to those deadlines.*

*\*The above information may be found in the: [TAMU Student Handbook Appendix G](#).*

### ***Sanctions***

Any University student or member of the faculty or staff who violates the prohibitions regarding violence and threats will be subject to disciplinary action ranging from reprimand or probation, to dismissal, suspension, or expulsion. Any guest or visitor to the University who does so may be immediately removed and barred from re-entering the campus and participating in University programs and activities.

#### ***Students***

One or any combination of the following sanctions may be imposed for a Student Code of Conduct violation: expulsion, suspension, conduct probation, conduct review, restrictions, restitution, community or University service, educational requirements, letter of enrollment block, letter of reprimand, loss of campus housing privilege, deferred loss of campus housing privilege, campus housing probation, and/or interim suspension.

#### ***Faculty and Staff***

One or any combination of the following sanctions may be imposed for employee conduct violations: suspension without pay, transfer, demotion, reduction in pay, extended suspension with pay, dismissal, and/or restitution.

### ***Complaint Resolution and Disciplinary Action***

The University's disciplinary process includes a prompt, fair, and impartial investigation and resolution process. In all instances, the process will be conducted in a manner that is consistent with the institution's policy and that is transparent to the accuser and the accused. The resolution of domestic violence, dating violence, sexual assault and stalking complaints may vary in time due to the uniqueness of each situation and the time involved in completing a full investigation. Each proceeding allows for extensions of time frames for good cause with written notice to the complainant and respondent of the delay and the reason for the delay. University officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault and stalking complaints are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking as well as how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability.

Remaining consistent with the established methods for the investigation of general student and employee conduct violations, the University has established specific procedures to address incidents involving sexual assault, domestic violence, dating violence, and stalking. It is important to note that any appeals to



the initial decision may occur once the initial process has been completed, and the decision has been rendered. If an appeal is filed, the length of time needed to reach final resolution may vary. In addition, procedures for institutional disciplinary action in cases of alleged dating and domestic violence, stalking, and sexual assault, TAMIU uses the preponderance of the evidence standard for the level of proof required. This means that the proof needs to only show that the facts are more likely to be so than not.

*Procedures followed for all Parties to a Complaint (Complainant and Respondent)*

1. Upon request and at the beginning of each meeting, the University explains the process and rules governing the proceedings.
2. The proceedings will be conducted by a University official who does not have a conflict of interest or bias for or against either party.
3. The proceedings shall use the preponderance of the evidence standard; this simply means that the proof needs to only show that the facts are more likely to be so than not.
4. All parties receive timely notification of meetings where one or all of the parties are to be present.
5. The opportunity to have others present, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice, is allowed. (Note: Either party has the choice of selecting an advisor and/or the presence of either the complainant or the respondent and is not to be limited in any disciplinary proceeding. However, the institution may establish restrictions regarding the extent to which the advisor may participate in the proceedings. This applies equally to both parties. An advisor is considered to be any individual who provides support, advice, or guidance to an accuser or the accused.)
6. The University will make appropriate information and materials available for both parties to equally review, if and when available.
7. In the interest of determining the proper outcome, the University recognizes that the investigation and presentation of evidence regarding the complaint may need additional time to gather information to present for review. The Title IX investigator may request an extension to the formal proceeding by requesting an extension, in writing, to the Title IX Coordinator. All requests should be emailed to [titleix@tamiu.edu](mailto:titleix@tamiu.edu)
8. Upon conclusion, both parties shall be simultaneously informed of the final outcome of any disciplinary proceeding in writing. Additionally, any changes to sanctions resulting from an appeal shall cause a simultaneous notification to both parties. The appeals process is outlined in the proceedings finding letter. Where an appeal is permitted under the applicable policy, the accuser and the accused will be notified simultaneously in writing, of the procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding. When an appeal is filed, the accuser and the accused will be notified simultaneously in writing of any change to the result prior to the time that it becomes final as well as of the final result once the appeal is resolved.

Whether or not criminal charges are filed, the University<sup>2</sup> or a person may file a complaint under the following policies, depending on the status of the accused (student or employee):

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<sup>2</sup>Title IX states that if an institution knows or reasonably should know of sexual harassment, to include sexual violence, the institution has a duty to investigate. Consequently, whether a complainant chooses to cooperate or not should not be the deciding factor for whether or not disciplinary charges are brought against an accused party. If an investigation determines that it is more likely than not that the institution's sexual misconduct policy was violated, then the "University" may assume the role of the complainant.

## ***Disciplinary Proceedings utilized in Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault and Stalking***

### ***1. How to File a Disciplinary Complaint under this Policy***

Reports can be made to the Title IX Coordinator, the Deputy Title IX Coordinator, or the University Police Department. Title IX reports or inquiries can also be made by emailing [TitleIX@tamiu.edu](mailto:TitleIX@tamiu.edu) or by visiting <https://www.tamiu.edu/reportit/>, our electronic, anonymous reporting site. In addition, if you would like to make a report in-person, you may do so by visiting the UPD in the Killam Library Room 005 (lower-level) or at the Office of Compliance located in the Killam Library Room 159 (Title IX).

### ***2. How the University determines whether this policy will be used***

With regard to criminal acts of sexual violence such as rape, sexual assault, domestic violence, dating violence, and stalking, TAMIU's Title IX administrative process for responding differs and is separate from the criminal process followed by police (University or local police). Both parties can engage in both the criminal and Title IX administrative process concurrently. Furthermore, a victim is not required to file a report with police, but is strongly encouraged to do so. In addition to, or in lieu of, filing a report with police, a victim can file a report with the Title IX Coordinator. Regardless of whether or not a victim files a report with police, TAMIU is responsible for following up on all Title IX reports (sex discrimination, sexual harassment, sexual violence, etc.)

### ***3. Steps in the Disciplinary Process***

TAMIU cases involving sexual misconduct, sexual harassment, retaliation, and other forms of protected class discrimination and harassment are unacceptable, and TAMIU will be responsive to such reports.

*The following outlines the investigative proceedings that TAMIU will follow:*

- The Title IX Coordinator shall resolve these reports or complaints equitably, and as promptly as practicable, after the report or complaint is made. Options include, but are not limited to:
  - Investigating the report or complaint as described below;
  - With the agreement of the parties, attempting to resolve the report or complaint through an informal resolution process such as mediation or a meeting between the respondent and a Title IX administrator or a third party (mediation will not be used in cases involving allegations of sexual abuse); or
  - Determining that the facts of the complaint or report, even if true, would not constitute a violation of the Student Code of Conduct or applicable policy.
  - If the Title IX Coordinator determines that the facts contained in a complaint are insufficient without further fact gathering, an investigation will be performed. In all instances of alleged sexual abuse, an investigation will be required.

*For all investigations the following procedures will be followed:*

- Once a report is received by the Title IX Coordinator or Deputy Title IX Coordinator, the Coordinator (Title IX or Deputy Title IX) must notify the System Ethics and Compliance Office that a report has been received.
- The Title IX Coordinator and/or Deputy must promptly conduct an initial investigation. At this time, victims will be provided with their rights and resources. In addition, during that time, the Title IX Coordinator and/or Deputy may collect evidence including, but not limited to: documentation, statements, and interviews from the complainant, respondent, and witnesses.

- Upon completion of the initial investigation, the Title IX Coordinator will determine whether or not further investigation is needed.
- If the Title IX Coordinator determines that a further investigation is necessary, then he/she will assign an investigative authority to complete the further investigation.
- If the Coordinator determines that a further investigation is not merited, then he/she will consult with the Office of General Counsel and either dismiss the case as untimely filed, baseless, or not a violation of civil rights policy, close the case as a result of insufficient information to investigate, or refer the case to the appropriate office to handle the complaint if it is not related to civil rights.
- During the further investigation, the investigative authority is to review the complaint, collect supplementary evidence, and make a determination based on the preponderance of the evidence. Upon completion of the further investigation, the investigative authority will draft an Investigation Report, which will be provided to the Title IX Coordinator assigned to the case. Circumstances may permit extensions to the time frames in this section.
- The Investigation Report will then be submitted to the Office of General Counsel. The Office of General Counsel will conduct a review of the Investigation Report and provide the Title IX Coordinator with a legal review of the Report. Circumstances may warrant extensions to the time frames in this section.
- The Title IX Coordinator shall provide the report to the investigative authority and to the Office of General Counsel.
- Upon approval of the Office of General Counsel, the final approved Investigation Report is to be provided to the adjudicating administrator(s).
- The adjudicating administrator(s) will render a written decision, which will be provided simultaneously in writing to both parties.
- Both the accuser and the accused may file a written appeal, which shall be provided to the Title IX Coordinator.
- The appellate process can be found in the following sections depending on whether the respondent is a student, staff members, or faculty member. [Student Handbook 9.04](#); [System Policy 12.01, Academic Freedom, Responsibility and Tenure](#); [System Policy 32.01, Employee Compliant and Appeal Procedures](#); [System Regulation 32.01.01, Complaint and Appeal Procedures for Faculty Members](#); and [System Regulation 32.01.02, Complaint and Appeal Process for Non-faculty Employees](#).
- Decision of said appeal shall be final.

#### **4. Anticipated Investigation Process**

Under Texas A&M International University System Police on Civil Rights the University follows a 60 day period to resolve complaints following the process outlined below.

- The Title IX Coordinator will assign an investigative authority (hereinafter investigator) of complaint to review allegations made, policy violations, documents and evidence, and interviewing process.
- The Title IX investigator will then provide a draft of the Investigation Report to the Office of General Counsel for legal review.
- The Office of General Counsel provides the Title IX Coordinator with legal review of draft Investigation Report. The Title IX Coordinator provides it to the investigator.
- The investigator will then finalize the investigation report and submit it to the Title IX Coordinator.
- The adjudicating administrator(s) renders the written decision.

**5. *Decision-Making Process***

A final decision will be made by the administrative review committee or adjudicating administrator(s). In addition, when coming to a final determination, all evidence will be considered (i.e., police reports, text messages, social media, medical reports, testimonies taken during an interview(s), witness statements, phone records, etc.).

**6. *Standard of Evidence***

The level of proof required at TAMIU in University disciplinary cases is a preponderance of the evidence.

**7. *Possible Sanctions***

Suspension, banishment from campus, expulsion, campus housing probation, removal from housing, community/University service, conduct probation, dismissal, conduct review, deferred loss of campus housing privilege, deferred suspension, educational requirements (i.e., completing an alcohol education workshop, a diversity awareness workshop, an essay, a report, etc.), interim University or housing suspension, letter of enrollment block, letter of reprimand, loss of campus housing privilege, restitution, restrictions, warnings, or a disciplinary hold.

**8. *Range of Protective Measures Available to an Individual Alleging Misconduct***

TAMIU provides the accuser, the accused, and third parties (those affected) with interim accommodations and/or protective measures. Protective measures range from physical separation, contact limitations, alternative work or housing arrangements, academic adjustments, police escorts, and counseling services at the individual's request and as reasonably available. Requests can be made with the Title IX Coordinator or the UPD. At any point in time during a complaint, investigation, or appeal process regarding an employee, the accused may be reassigned, placed on administrative leave, suspended, or placed in another temporary status pending the completion of the investigation and the final resolution. Retaliatory action (i.e., a hostile/adverse environment) against an accuser, witness, or other person participating in the case, is prohibited by TAMIU.

*\*Note: These procedures are also used in cases of alleged employee/faculty misconduct with any sexual assault, domestic violence, dating violence, or stalking cases. In addition, the above information was taken from: [TAMIU Rule 08.01.01.L1, Civil Rights Complaint and Appeal Process](#), [System Regulation 08.01.01, Civil Rights Compliance](#), [System Regulation 08.01, Civil Rights Protections and Compliance](#), and [TAMIU Student Handbook](#).*

If you would like more information regarding any process or procedure, or if you would like to make a report, ask questions about the [TAMIU Student Handbook](#) relative to Title IX, or need to request an accommodation to your living or working arrangements, regardless of whether or not you chose to report the crime to law enforcement or campus police, contact the University's Title IX Coordinator, Lauren A. Jones, J.D. at 5201 University Boulevard, Killam Library, Room 159B, Laredo, TX 78041, (956) 326-2857, [titleix@tamiu.edu](mailto:titleix@tamiu.edu) or the UPD at 956-326-2100.

***University-Initiated Protective Measures***

In addition to those protective measures previously described, the Title IX Coordinator or his/her designee will determine whether interim accommodations and protective measures should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to, a University order of no contact, interim suspension, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties

involved.<sup>3</sup> Violations of the Title IX Coordinator's (or his/her designee) directives and/or protective measures may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by TAMIU.

### ***Notification of Outcome***

Upon written request, TAMIU will disclose to the alleged victim of a crime of violence, the results of any disciplinary hearing conducted by the University against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased, or otherwise incapacitated as a result of the crime or offense, TAMIU will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

### ***Confidentiality***

In cases involving allegations of sexual assault, domestic violence, dating violence and/or stalking, complainants may request that their names be kept confidential during an initial consultation, a criminal investigation, or the University's investigation. In a criminal investigation, victims of sexual assault and/or stalking have the option of filling out a pseudonym form, so their names may be kept confidential. For an initial consultation or University's investigation, the Title IX Coordinator or Deputy Title IX Coordinator will decide whether to accommodate such requests but will inform the complainant that doing so will not be possible, if, in the judgment of the UPD (criminal investigation) or the Title IX Coordinator or Deputy Title IX Coordinator (University investigation), and under the particular circumstances involved, it would prevent the University from providing a safe and non-discriminatory environment for the complainant and other members of the campus community. In such cases, the UPD or the Title IX Coordinator will notify the complainant before disclosing his or her name to the respondent or other persons. Complainants may renew requests for confidentiality during the formal hearing on their complaints, but in such cases the University's ability to proceed with the investigation and hearings may be limited as a result.

Regardless of whether a victim has opted-out of allowing the University to share "directory information," personally identifiable information about the victim and other necessary parties will be treated as confidential, and only shared with persons who have a specific need-to-know (i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures).

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

If an individual requests confidentiality, and the Title IX Coordinator is not able to accommodate that request, and thereafter that individual asks the University to inform the accused person that he or she asked the University not to investigate or seek disciplinary action, the University will honor this request and inform the accused person that the decision to move forward was made by the University itself.

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<sup>3</sup> Applicable law requires that, when taking such steps to separate the complainant and the accused, the University must minimize the burden on the complainant and thus should not, as a matter of course, remove the complainant from his or her job, classes or housing while allowing the accused to remain.

### ***Assistance for Victims***

Members of the University community who have been subjected to acts of violence, whether on or off campus, including sexual assault, domestic violence, dating violence and stalking, should obtain medical attention to make sure any issues relating to possible injury or disease are addressed. Student Health Services, located in the TAMIU Student Center (STC), is available to assist TAMIU students during regular University operating hours. After hours, it is recommended that students seek treatment from Laredo Medical Center or Doctors Hospital.

Members of the University community, who have been victimized, may obtain guidance regarding incidents involving sexual assault, stalking, and domestic violence and/or dating violence by contacting the UPD Sexual Assault Response Team (SART) or the Domestic Assault Response Team (DART). SART/DART team members are specially trained police officers, not professional counselors. Officers selected to be on this team can identify a variety of resources available to a victim and explain reporting options both at the University and externally. It is the policy of TAMIU to assist University community members who have been the victims of sexual or relationship violence and threats, regardless of the location of the incident. This assistance extends to helping the individual reach out to the correct jurisdiction's law enforcement agencies, should the victim request such assistance.

Students may obtain confidential counseling regarding incidents involving sexual assault, stalking, and domestic violence and/or dating violence from Student Counseling and Disability Services. Staff counselors are available 24 hours a day and are licensed professionals. Communication with individuals they counsel are generally protected from disclosure. There are some instances where disclosure is mandated by the State of Texas. For assistance outside of normal University business hours, please contact the UPD at 956-326-2911.

All University community members may report sexual assault, stalking, dating and domestic violence and/or obtain further information about resources available to address incidents involving violence and threats from the University's Title IX Coordinator (956) 326-2857 or Title IX Deputy Coordinator (956) 326-2601. See table on page 29.

The University will provide victims with written notice about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, financial aid and other services, as well as options and available assistance for changing academic, living, transportation and working situations, if requested and reasonably available, and regardless of whether reports are made to the UPD or local law enforcement. Requests can be made with the Title IX Coordinator or the TAMIU Police Department.

The University will also provide a written notice to students and/or employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, financial aid and other services, as well as options and available assistance for changing academic, living, transportation and working situations if requested and if reasonably available, within the larger community.

Any accommodations provided to all parties involved are to be kept confidential. Only University officials with a need to know will be notified of such accommodations. Maintaining such confidentiality is not to impair the ability of the institution or the UPD to provide protective measures to the victim.

Individuals may apply for protective orders from local courts. Information about protective orders and other steps that can be taken in such cases is available from the UPD. Community members may also obtain assistance and information relating to incidents involving domestic violence, dating violence,

sexual assault and/or stalking from organizations not affiliated with the University identified in the “*On and Off Campus Services for Victims*” section.

The University may take interim action while incidents involving allegations of violence and/or threats are investigated and resolved, as appropriate. Interim action may be taken regardless of whether an individual chooses to report an incident to the UPD or local law enforcement and may include interim suspension, removal from University housing, “no-contact orders,” and/or changing academic, living, transportation or working arrangements for one or both parties.

Additionally, the University may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. If the University receives a report that such an institutional no contact order has been violated, the University will initiate disciplinary proceedings appropriate to the status of the person violating the order (student, employee, etc.) and will impose sanctions if this person is found responsible for violating the no contact order.

The victim and the accused will be notified by email or mailing address that he/she is not to have any contact with the other party. This “no-contact” order is provided by the University to be used as an interim measure. When the two parties have received the notice, they may be in the same classroom, but they are not to speak to or contact one another. If the no-contact order is violated by either the victim or the accused, then it will be handled as a disciplinary sanction/offense as a result of failure to comply with the order. The no-contact order remains for the term of the investigation and may remain after a final decision has been made depending on the end result/finding. If for any reason other accommodations are needed, either party may receive additional accommodations as reasonably available. In addition, if anyone were to obtain any other type of order of protection from the State of Texas, they should provide a copy to the UPD and the Title IX Coordinator. A complainant may then meet with the UPD to develop a Safety Action Plan, which is a plan for campus police and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to escorts, special parking arrangements, changing classroom location or allowing a student to complete assignments from home, etc. The University cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction(s).

***On and Off Campus Services for Victims***

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, TAMIU will provide written notification to victims about existing assistance with and/or information about obtaining resources and services including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and assistance in notifying appropriate local law enforcement. These resources include the following:

<b>On Campus</b>	<b>Type of Services Available</b>	<b>Service Provider</b>	<b>Contact Information</b>
On Campus	Counseling	TAMIU Student Counseling Services	956-326-2230 Zaffirini Student Success Center 138 (Confidential Counseling)
On Campus	Counseling	TAMIU Community Stress Center	956-326-3120 Cowart Hall 205
On Campus	Health	TAMIU Student Health Services	956-326-2235 Student Center 125

<b>On Campus</b>	<b>Type of Services Available</b>	<b>Service Provider</b>	<b>Contact Information</b>
On Campus	Financial Aid	TAMIU Financial Aid	956-326-2225 Zaffirini Student Success Center 214
On Campus	Mental Health	N/A	N/A
On Campus	Student Advocacy	TAMIU Office of the VP for Student Affairs	956-326-2784 Zaffirini Student Success Center 224
On Campus	Legal Assistance	University Police Department	956-326-2100 (Non-Emergency)  956-326-2911 (Emergency) Killam Library 005
On Campus	Complainant & Respondent Advocacy	TAMIU Title IX Coordinator	956-326-2857 Killam Library 159
On Campus	Student Advocacy	TAMIU Student Conduct & Community Engagement	956-326-2288 Student Center 226
On Campus	Victim Advocacy	TAMIU Housing & Residence Life	956-326-1300 Residential Learning Community
On Campus	Visa and Immigration Assistance	International Engagement	956-326-2282 Student Center 124
On Campus	Visa and Immigration Assistance	Human Resources Office	956-326-2365 Killam Library 158

<b>Off Campus</b>	<b>Type of Services Available</b>	<b>Service Provider</b>	<b>Contact Information</b>
Off Campus	Counseling	Family Counseling & Social Services	956-724-3604
Off Campus	Health	Doctors Hospital of Laredo	956-523-2000
Off Campus	Health	Laredo Medical Center	956-796-5000
Off Campus	Local Legal Assistance	District Attorney's Office (Protective orders & Domestic Violence Unit)	956-523-4900  956-722-7581
Off Campus	Local Legal Assistance	Laredo Law Center (Legal Services for Low Income Applicants for Divorce)	1-800-840-3379
Off Campus	Victim Advocacy	Family Violence Legal Line	1-800-374-HOPE (4673)
Off Campus	Victim Advocacy	Child Protective Services	956-728-7383



Off Campus	Type of Services Available	Service Provider	Contact Information
Off Campus	Local Legal Assistance	Texas Rio Grande Legal Aid	956-718-4600 956-722-7581
Off Campus	Mental Health	Border Region MHMR	1-800-643-1102
Off Campus	Local Legal Assistance	Laredo Police Department	911 (Emergency) 956-718-6000 (Non-Emergency)
Off Campus	Victim Advocacy	Family Violence Legal Line	1-800-374-HOPE (4673)
Off Campus	Victim Advocacy	Family Law Hotline	1-800-777-FAIR (3247) 512-473-1866
Off Campus	Victim Advocacy	National Domestic Violence Hotline	1-800-799-SAFE (7233) 1-800-787-3224 (hearing impaired)
Off Campus	Victim Advocacy	National Suicide Prevention Lifeline	1-800-273-TALK (8255)
Off Campus	Victim Advocacy	PILLAR (Crisis Intervention Hotline; Health Exams; Counseling)	956-723-7457
Off Campus	Victim Advocacy	Salvation Army	956-723-2349
Off Campus	Victim Advocacy	Serving Children & Adolescents in Need (SCAN)	956-724-3177 1605 Saldana Ave.
Off Campus	Victim Advocacy	Sexual Assault Legal Hotline	1-888-296-SAFE (7233) 512-225-9290
Off Campus	Victim Advocacy	Texas Abuse Hotline	1-800-252-5400
Off Campus	Visa and Immigration Assistance	Mexican Consulate in Laredo	956-723-0990 1612 Farragut Street <a href="mailto:consul@srelaredo.org">consul@srelaredo.org</a>
Off Campus	Visa and Immigration Assistance	U.S. Citizenship and Immigration Services- Application Support Center (ASC)	707 East Calton Road Suite 301 Laredo, TX 78041-3638 <a href="http://www.uscis.gov">www.uscis.gov</a>
Off Campus	Other - Shelter	Casa De Misericordia Domestic Violence	956-712-9591 1-877- SU-CASA-2 (782-2722)

Off Campus	Type of Services Available	Service Provider	Contact Information
Off Campus	Other - Shelter	Casa de Misericordia Domestic	956-712-9590
Off Campus	Other - Shelter	Emergency Runaway Shelter (SCAN)	956-725-7211 956-724-3177
Off Campus	Other - Shelter	Mercy Ministries of Laredo	956-718-6810 956-721-7402

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

Rape, Abuse and Incest National Network: <http://www.rainn.org>

Department of Justice: <http://www.ovw.usdoj.gov/sexassault.htm>

Department of Education, Office of Civil Rights: <http://www2.ed.gov/about/offices/list/ocr/index.html>

Affordable Colleges Online: <http://www.affordablecollegesonline.org/campus-safety-guide/>

#### ***Campaigns for Primary Prevention and Awareness Programming for Violence and Threats***

TAMIU offers 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 dating and domestic violence, sexual assault, and stalking as prohibited conduct. The programs deliver information regarding bystander intervention, risk reduction, how to recognize warning signs of abusive behavior, and ways on how to avoid potential attacks, and victims' rights and options. The definitions of domestic violence, dating violence, sexual assault and stalking are defined according to any applicable jurisdictional definitions. In addition, the type of behavior and actions that constitute consent, in reference to sexual activity, in the State of Texas are defined. The programming also includes the institution's definition of consent and the purposes for which that definition is used.

Rights and options include procedures victims should follow if sexual misconduct, dating violence, domestic violence, or stalking occurs; the importance of preserving evidence; options for notifying law enforcement and campus authorities; procedures for institutional disciplinary action and conduct proceedings; possible sanctions following a proceeding; on-campus and community resources; rights and options for obtaining lawful orders; assistance in receiving interim measures and remedial action; explanation of victim confidentiality; and protection from retaliation. (See: [TAMIU Student Handbook](#)).

The Division of Student Success has established sessions at New and Transfer Student Orientations which include presentation and distribution of the above educational material. The sessions and our online training module, HAVEN, are mandatory for incoming, undergraduate freshman and transfer students. HAVEN is a program that educates this group of students about understanding and reporting sexual assault, the importance of consent, the significance of bystander intervention, and effective communication to create a safe and healthy community. The Student Handbook, as outlined above, contains information on sexual assault, dating violence, domestic violence, and stalking; awareness and victims' rights; resources; and available options. Crime prevention and safety information, some specifically targeting sexual violence, domestic/dating/family violence and stalking, is distributed at undergraduate orientation by the UPD and the Title IX Coordinator. Similar information is also offered to

new employees through the TAMUS' web-based training portal TrainTraq, our Employee Assistance Program (EAP) provider Deer Oaks, and Title IX presentation. This information is further reinforced throughout the year through specific programs and trainings designed to empower individuals to stand up and stop all forms of sexual and/or relationship-based violence.

The listed programs are in place to aid in the prevention of dating violence, domestic violence, sexual assault, and stalking comprehensively and intentionally by integrating programming, initiative, strategies, and campaigns in the efforts of ending such crimes. The programs set in place are culturally relevant and inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research and/or assessed for value, effectiveness, or outcome. Additionally, the prevention programs are set in place to terminate domestic and dating violence, sexual assault, and stalking, while considering environmental risks and protective factors that occur in the individual, relationship, institutional, community, and society levels. Programs to prevent dating violence, domestic violence, sexual assault, and stalking include both primary prevention and awareness programs directed at incoming students and new employees and ongoing prevention and awareness campaigns throughout the year are directed towards all students, employees, and community members.

Specifically, the University offered the following **primary prevention and awareness programs** for all **incoming students** in 2016-2017:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?	Department Responsible
Haven	Beginning of Fall, Spring, and Summer	-Online	-Title IX Offenses -S -SE	Student Conduct & Community Engagement
AlcoholEDU	Beginning of Fall and Spring	-Online	-AOD	Student Conduct & Community Engagement
Graduate Student Email	February 15, 2017 September 12, 2017	-Online	-Title IX offenses -SA -DaV -DoV -S -SE	Office of Graduate Studies
Summer Session Email	June 15, 2017 July 20, 2017	-Online	-Title IX offenses -SA -DaV -DoV -S -SE	Compliance-Title IX
Transfer Student Orientation	January 13, 2017 July 21, 2017 August 11, 2017 August 18, 2017 August 19, 2017	-Student Center 225, 230, 231, 236 -Cowart Hall 112, 113, 114, 116, and 117	-Title IX offenses -Clery offenses -SA -DaV -DoV -S	Student Orientation, Leadership and Engagement

		-Pellegrino Hall 101, 112, 114, 115, 116, 211 -Lamar Bruni Vergara Center 102 and 202 -Bullock Hall 101 -Western Hemisphere 103, 104, 111, 116, 125 -Zaffirini Student Success Center 101 -Canseco Hall 101	-SE -Campus Safety -AOD	
New Student Orientation	June 8-9, 2017 June 22-23, 2017 July 13-14, 2017 July 27-28, 2017 August 7-8, 2017	-Western Hemisphere 111 and 116 -Pellegrino Hall 101, 107, 112, 114, 115, 116, 205, 211, 219, and 221 -Lamar Bruni Vergara Center 102 -Bullock Hall 101, 113, 118, 202, 204, 206, 224, and 225 -Zaffirini Student Success Center 101 -Canseco Hall 101 and 203 -Student Center 120, 203, 225, 230, 231, and 236 -Residential Learning Community -Cowart Hall 105, 112, 113, 114, 116, and 117 -Fine & Performing Arts 106 and 107 -REC 118	-Title IX offenses -Clery offenses -SA -DaV -DoV -S -SE -Active Shooter -Campus Safety -AOD	Student Orientation, Leadership and Engagement

\*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault, S means Stalking, SE means Sexual Exploitation, and AOD means Alcohol and Other Drugs.

The University offered the following **primary prevention and awareness programs** for all **new employees** in 2016-2017:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?	Department Responsible
New Employee Staff Orientation	Ongoing	-Human Resources Office	-Title IX offenses	Human Resources
College of Arts & Sciences Adjunct Faculty Orientation	August 12, 2017	-Lamar Bruni Vergara Center 102	-Title IX offenses -AOD	College of Arts & Sciences
TrainTraq 99002: Creating a Discrimination Free Workplace	Ongoing	-Online	-Title IX offenses	Human Resources
TrainTraq 2111844: Clery Act Guidelines for A&M System Campus Security Authorities	Ongoing	-Online	-Clery offenses	Human Resources
New Faculty Orientation	August 18, 2017	-Western Hemisphere Trade Center 111	-Safety -TIX	Office of the Provost

\*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault, S means Stalking, and AOD means Alcohol and Other Drugs.

### ***General, On-going Crime Prevention and Security Awareness Programs***

TAMIU offers many programs designed to inform students and employees about campus security procedures and practices. The institution held an average of 38 crime prevention and security awareness programs during the 2016-2017 academic year. A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware and responsible for their own safety and security and the safety and security of others. Various campus departments and student groups partner with one another to conduct Crime Prevention and Awareness Programs, including domestic violence, dating violence, and sexual assault. These facilitated programs for students, parents, faculty, staff, and new employees are conducted in an on-going manner beginning with orientations for students and employees when they join the University, an on-going variety of online training for our employees, students and volunteers, and through collaboration with our departments and student organizations; all of these programs provide a variety of educational strategies and tips on how all members of our community may protect themselves from sexual assault and other crimes. TAMIU presents prevention and awareness information to student and faculty/staff beginning with orientation and followed with online training courses, the UPD presentations and regular student life programming sponsored by the Division of Student Success offices.

*The University has developed an annual educational campaign consisting of:*

A bystander intervention program, known as “*Green Dot*.” The on-going program’s primary goal is to enlist all community members in the mission to reduce and eliminate power-based violence. Members of the “*Green Dot*” program receive training on safe and positive options for an individual or individuals to prevent harm or intervene when there is a risk of sexual assault, domestic/dating violence, or stalking against a person. Bystander intervention includes training individuals to recognize situations of potential

harm, to better understand institutional structures and cultural conditions that facilitate violence, how to overcome barriers to intervene in those given situations, and assist individuals in identifying safe and effective intervention options, and to take action (intervene).

Additionally, every semester, TAMIU hosts “*It’s On Us Week.*” During this week of programming, campus offices and student groups unite to provide all forms of information and to educate the TAMIU community about consent. Every April, TAMIU hosts a week of events in honor of *Sexual Assault Awareness Month* in support and encouragement to students and employees on how to stop sexual violence and threats in our campus community. This week of awareness includes with TAMIU’s and/or student organizations own “*Take Back the Night.*”

All programs, unless group specific as indicated, are open to all members of the University community and are promoted via various communication methods, including but not limited to: the University website, social media, flyers, text message, and Uconnect.

The University offered the following **ongoing awareness and prevention programs** for **students and employees** in 2016-2017:

*\*Note: Ongoing awareness programs listed below may have other events occurring at the same time; not all programs/events are listed. Additionally, most of these events occur annually (i.e., only once a year during the Fall, Summer, or Spring semester) or throughout the academic school year.*

<b>Program/Campaign Name</b>	<b>Date Held</b>	<b>Location</b>	<b>Which Prohibited Behavior* Covered?</b>	<b>Department Responsible</b>
Spring Break Revolution Event	March 6-9, 2017	-Student Center Rotunda -Student Center 231 -University Village -Recreational Sports Center -Zaffirini Student Success Center	-DoV -DaV -SA -S -AOD	Student Conduct & Community Engagement
Domestic Violence Awareness	October 6, 2016 October 13, 2016 October 25, 2016	-Domestic Violence Conference for Webb City -TAMIU Soccer Field	-DoV - Green Dot Bystander Intervention: -SA -DoV -S	Compliance- Title IX and Athletics
Administration Supervisor Training	May 23, 2017	-Western Hemisphere Trade Center 116	-Title IX offenses	Compliance

<b>Program/Campaign Name</b>	<b>Date Held</b>	<b>Location</b>	<b>Which Prohibited Behavior* Covered?</b>	<b>Department Responsible</b>
RA Presentations	January 10, 2017 January 12, 2017 August 2, 2017 August 10, 2017	-Residential Learning Community	-Title IX offenses -Clery offenses -Green Dot Bystander Intervention: -SA -DoV -S -Active Shooter -Campus Safety	Housing & Residence Life
Take Back The Night/Feel the Heals Walk	April 20, 2017	-On the Green between Zaffirini Student Success Center and the Center of Fine and Performing Arts -Killam Library to Zaffirini Student Success Center	-SV -SA	Student Conduct & Community Engagement
Campus Safety Week	September 19, 2017	-Student Center Rotunda -Zaffirini Student Success Center 101	-SV -SA -DoV -DaV -Green Dot Bystander Intervention: -SA -DoV -S -LGBTQ awareness training	Student Conduct & Community Engagement
Experiential Learning/Internship Orientation	November 2, 2016	-Student Center Ballroom	-Title IX offenses	Career Services
National Alcohol Screening Day	April 6, 2017	-Student Center Rotunda	-AOD	Student Conduct & Community Engagement
Preview Day	November 12, 2016 January 21, 2017	-Zaffirini Student Success Center 101	-Safety	Student Conduct & Community Engagement

<b>Program/Campaign Name</b>	<b>Date Held</b>	<b>Location</b>	<b>Which Prohibited Behavior* Covered?</b>	<b>Department Responsible</b>
Brochures	Daily	-Student Affairs -Student Conduct and Community Engagement -Title IX- Compliance Office -University Police Department -Human Resources	-SA -DoV -DaV -S -AOD -SE -SV	N/A
Student Health 101	Monthly Magazine Covering Various Topics for College Students	-Online	-Green Dot Bystander Intervention: -SA -DoV -S -DaV -AOD	Housing & Residence Life
Let's Work it Out Workshop	October 28, 2016 February 24, 2017 March 24, 2017 April 21, 2017	-Student Center 225 and 230 -Western Hemisphere Trade Center 125	-Conflict Resolution Training	Student Conduct & Community Engagement
Wellness Wednesday: Effect of Domestic Violence in the Workplace	April 5, 2017	-Student Center 231	-DoV -DaV -Safety	Human Resources and Compliance- Title IX
Interactive Luncheon with Dr. Leonides Cigarroa	March 7, 2017	-Student Center	-AOD	Student Health Services
Pill Take Back Initiative	October 19, 2016 October 26, 2016	-Student Center Rotunda	-AOD	Student Conduct & Community Engagement
TLC on Healthy Relationships	October 5, 2016	-Zaffirini Success Center	-DoV -DaV	Student Counseling & Disability Services
Student Success Presentation for Employees	June 26, 2017	-Zaffirini Student Success Center	-Title IX offenses	Vice President for Student Success



<b>Program/Campaign Name</b>	<b>Date Held</b>	<b>Location</b>	<b>Which Prohibited Behavior* Covered?</b>	<b>Department Responsible</b>
Resolutions Week	January 23-26, 2017	-Student Center Rotunda	-Green Dot Bystander Intervention: -SA -DoV -S -DaV -AOD -SV	Student Conduct & Community Engagement
Don't Be a Creeper: Information Fair	October 25-26, 2016	-Student Center Ballroom -Zaffirini Student Success Center 101 -Student Center Rotunda	-AOD	Student Health Services and TAMIU-SCAN Prevention Project
International Day to Eliminate Violence Against Women and Children; presentation by Sister Rosemary Welsh	November 15, 2016	-Student Center 236 and 2 <sup>nd</sup> floor rotunda	-DoV -DaV -SA -S -AOD	Compliance- Title IX and the College of Education
Wicked Wellness Week	October 24-28, 2016	-Student Center Rotunda -Zaffirini Student Success Center Room 101	-AOD	Student Health Services
TLC Drugs & Alcohol	March 8, 2017	-Bullock 101	-AOD	Student Health Services and Student Counseling & Disability Services
One Billion Rising Revolution	February 14, 2017	-Breezeway between Pellegrino Hall and Canseco Hall -Student Center -Killam Quad	-Title IX offenses -SV	Compliance- Title IX
Coaches Certification Training	August 10, 2017	-Recreational Center 129	-Title IX offenses	Athletic Compliance
Presentation for International Engagement	January 13, 2017	-Student Center 226	-Clery offenses	-University Police Department

<b>Program/Campaign Name</b>	<b>Date Held</b>	<b>Location</b>	<b>Which Prohibited Behavior* Covered?</b>	<b>Department Responsible</b>
Integrity Week	September 4-8, 2017	- Student Center Rotunda -The Breezeway between Canseco Hall & Pellegrino Hall - Zaffirini Student Success Center 101 -Student Center Patio - Student Center 230 -Student Center 226	-Title IX -Green Dot Bystander Intervention: -SA -DoV -S -Clery Offenses	Student Conduct & Community Engagement
“It’s on Us” Fall & Spring	October 10, 2016 October 12, 2016 October 24-29, 2016 April 4-6, 2017	-Student Center Ballroom, Courtyard, Rotunda, 225, and 230 -University Village -Residential Learning Community Front of Kinesiology Building -Pellegrino Hall 203 -Fine & Performing Arts 106 -Breezeway between Pellegrino Hall and Canseco Hall	-SA -Green Dot Bystander Intervention: -SA -DoV -S -Consent -LGBTQ awareness training	Compliance- Title IX
Presentation for Student Orientation, Leadership and Engagement	January 24, 2017	-Student Center 224	-Clery offenses	-University Police Department
Presentation for Student Health Services	April 21, 2017	-Student Center 125	-Clery offenses	-University Police Department

<b>Program/Campaign Name</b>	<b>Date Held</b>	<b>Location</b>	<b>Which Prohibited Behavior* Covered?</b>	<b>Department Responsible</b>
Presentation for Athletic Staff and Student Workers	March 22, 2017 March 30, 2017 August 24, 2017	-Kinesiology Building Conference Room	-Title IX offenses -Clery offenses -SA -SV -SE -DoV -DaV -S	-Compliance- Title IX -University Police Department
Advising & Mentoring Center Presentations	February 10, 2017 August 14, 2017	-Recreational Center 131 -Cowart Hall 114	-Title IX offenses -Clery offenses	-Compliance- Title IX -University Police Department
Faculty Supervisor Training	May 22, 2017	-Student Center 231	-Title IX offenses	Compliance
Annual Notification to Students and Employees	October 28, 2016	-Email	-AOD -Title IX offenses	Compliance
League of Empowered Women Presentation	October 12, 2016	-Pellegrino 203	-Title IX offenses	Compliance
Faculty Study Abroad Emails	Ongoing	-Email	-Title IX offenses	Compliance
Student-Athlete Presentation	March 29, 2017 August 24, 2017 September 8, 2017 September 9, 2017 September 10, 2017 September 16, 2017 September 18, 2017 September 21, 2017	-Kinesiology Building Conference Room -Student Center 230 and 231	-Title IX offenses	Compliance
Recreational Staff Presentation	September 15, 2017	-Recreational Center 129	-Title IX offenses	Compliance

\*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault, SV means Sexual Violence, S means Stalking, and AOD means Alcohol and Other Drugs.

**\*\*For additional information on the programs listed above, please contact the department/office responsible. See table below:**

<b>Department</b>	<b>Office Location</b>	<b>Office Number</b>
Housing & Residence Life	-Residential Learning Community: 5281 University Blvd -University Village: 4907 University Blvd	956-326-1300
Student Conduct and Community Engagement	Student Center 226	956-326-2265
Student Orientation, Leadership and Engagement	Student Center 224	956-326-2280
Human Resources	Killam Library 158	956-326-2365
Compliance—Title IX	Killam Library 159	956-326-2857
Career Services	Student Center 114	956-326-4473
Student Health Services	Student Center 125	956-326-2235
Athletics	Kinesiology Convocation Building 107	956-326-2732
International Engagement	Student Center Suite 226	956-326-2280 or 956-326-2281
Student Counseling & Disability Services	Zaffirini Student Success Center 138	956-326-2230

### **How to Be an Active Bystander**

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.”<sup>4</sup> We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list<sup>5</sup> of some ways to be an active bystander. Further information regarding bystander intervention may be found by contacting the Office of Student Conduct and Community Engagement, 956-326-2280. If you or someone else is in immediate danger, dial ext. 2911 from a TAMU telephone or 956-326-2911 or call the local police department at 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
2. Confront people who seclude, hit on, and try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses they are experiencing acts of sexual assault, abusive behavior, or stalking.
5. Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance. *Refer to pages 39-42.*

<sup>4</sup> Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles, 60*, 779-792.

<sup>5</sup> Bystander intervention strategies adapted from Stanford University’s Office of Sexual Assault & Relationship Abuse

### ***Reducing Risks***

Risk reduction information provides students and employees along with other individuals with options designed to decrease perpetration and bystander inaction. Moreover, information on risk reduction increases empowerment for victims in order to promote safety and to help individuals, our TAMIU community, and other communities to address conditions that facilitate acts of violence.

Personal safety habits directly translate to campus safety habits by changing the mindset of all members of our community to be engaged in and with what is happening around them.

- Be aware of your surroundings.
- Walk with purpose.
- Trust your instincts.
- Make sure your cell phone is with you.
- When you go to social gatherings, go with a group of friends.
- Don't leave your drink unattended.
- Don't accept drinks from people you don't know or trust.
- Watch out for your friends.
- Have your friends watch out for you.
- If you suspect you or a friend has been drugged, contact law enforcement immediately.
- Try to think of an escape route.

If you need to get out of an uncomfortable or unpleasant situation here are some things you can try:

- a. **Remember that being in this situation is not your fault.** You did not do anything wrong, it's the person who is making you uncomfortable that is to blame.
- b. **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason.
- c. **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse.

### ***Alcohol, Drug, and Weapons Policies***

#### ***Alcohol***

As an institution interested in the intellectual, physical, and psychological well-being of the campus community, TAMIU deems it important to curtail the abusive or illegal use of alcoholic beverages. All members of the University community and guests are required to comply with Federal, State and local laws regarding the distribution, possession, use, sale and consumption of alcoholic beverages ([TAMIU Student Handbook; 34.02, Drug and Alcohol Abuse and Rehabilitation; TAMIU HR Drug and Alcohol Abuse](#)). TAMIU prohibits the unlawful possession, use, and sale of alcoholic beverages on campus. The UPD is responsible for the enforcement of state underage drinking laws, with the assistance of the Student Conduct office in conducting a disciplinary proceeding for referrals involving alcohol violations.

The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. It is also a violation of law and student rules to possess or consume alcoholic beverages within the residence facilities if under the age of 21. Consequences could result in criminal charges or arrest by the University Police Department and/or sanctions by the University.

#### ***Illegal Drugs***

Federal and Texas law prohibits the manufacture, sale, delivery, possession, or use 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. Alleged violations of this law may result in criminal charges and will also be adjudicated

through University disciplinary procedure ([TAMIU Student Handbook; 34.02, Drug and Alcohol Abuse and Rehabilitation; TAMIU HR Drug and Alcohol Abuse](#)). TAMIU prohibits the unlawful possession, use, and sale of illegal drugs. The UPD has primary responsibility for the enforcement of State underage drinking laws as well as the enforcement of Federal and State drug laws. Additionally, the Student Conduct office is responsible for conducting a disciplinary proceeding for referrals involving drug violations.

The Division of Student Success and Human Resources are committed to promoting responsible decision making regarding alcohol and other drugs through educational programming, resources, and referrals. In compliance with the Drug Free Schools and Communities Act, TAMIU publishes information regarding the University's educational programs related to drug and alcohol abuse prevention; sanctions for violations of Federal, State, and local laws and University policy; a description of health risks associated with alcohol and other drug use; and a description of available treatment programs for TAMIU students and employees. A complete description of these topics, as provided in the University's annual notification to students and employees, is available online at: [TAMIU Biennial AOD Report; Drug & Alcohol Abuse Prevention Program 2016-2017](#). Additionally, Human Resource's Employee Assistance Program (EAP) manages the alcohol & drug abuse and rehabilitation program for employees and faculty. The EAP also provides counseling and referral services.

### Weapons

In accordance with [Texas Penal Code Ch. 46](#), it is a felony to intentionally, knowingly, or recklessly possess a firearm, illegal knife, or prohibited weapon (with or without a concealed handgun permit) on the physical premises of a school or educational institution, to include any buildings or passenger transportation vehicles under the direct control of the educational institution (refer to the [TAMIU Student Handbook](#) Article 6 Section 6.05 Prohibited Behavior—Weapons and Explosives).

Effective August 1, 2016, Senate Bill 11 required all State public colleges and universities to allow Concealed Campus Carry. Accordingly, Texas A&M University System policy—now allows handgun license holders to carry a concealed handgun on University grounds. State law provides universities with the ability of limiting or establishing rules regarding where handguns may and may not be present.

TAMIU rule [34.06.02.L1 Carrying Concealed Handguns on Campus](#) outlines areas prohibited from carrying a concealed handgun on campus premises:

- Science laboratories in Canseco Hall 212, Lamar Bruni Vergara Science Center 119, and Lamar Bruni Vergara Science Center 394;
- The Texas Academy of International and STEM Studies (Cowart Hall 211 and 213);
- Office of Student Health Services (Student Center 125);
- Office of Student Counseling and Disability Services (Zaffirini Student Success Center 138);
- On the premises where a University sporting event is taking place, so long as effective notice is given under Section 30.06, Penal Code;
- The Kinesiology, Wellness and Recreation Center (REC): Access-controlled portions of the building. The following non-access-controlled portions of the building, all located on the first floor, are not included in the prohibited area: entrance, foyer, public restrooms on the first floor, and classroom/laboratory spaces 128, 129, 130, 131; and
- Any campus premises leased by the University to a third party, if the third party determines to prohibit the concealed carry of handguns on the premises and provides effective notice pursuant to Section 30.06, Penal Code.

The University enforces State law and System policy; it is encouraged that you read and understand State law and University rules and regulations.

For additional information, please visit the following links: [TAMIU Campus Carry Information](#); [34.06.02 Weapons](#); [Senate Bill 11, Campus Carry](#); [Texas Penal Code 30.06 Trespass by License Holder With A Concealed Handgun](#); [Government Code 411.205 Requirement To Display License](#).

#### *Health Risks Associated with Alcohol and Other Drugs*

**A.** Alcohol abuse can cause many health related problems. Approximately 150,000 deaths annually are directly related to alcohol abuse and/or alcoholism. Alcohol abuse can lead to alcoholism, premature death through overdose, and complications involving the brain, heart, liver and many other body organs. Alcohol abuse is a prime contributor to suicide, homicide, motor vehicle deaths, and other so-called accidental causes of death. Alcohol abuse also causes liver disease, gastritis, and anemia. Alcohol abuse interferes with psychological functions, causes interpersonal difficulties, and is involved in most cases of child abuse. Alcohol abuse also disrupts occupational effectiveness and causes legal and financial problems. Alcohol used in any amount by a pregnant woman can cause birth defects.

**B.** Other Drugs: The abuse of illicit drugs can result in a wide range of health problems. In general, illicit drug use can result in drug addictions, death by overdose, death from withdrawal, seizure, heart problems, infectious disease (i.e., HIV/AIDS, hepatitis), liver disease, and chronic brain dysfunction. Other problems associated with illicit drug use include psychological dysfunctions such as memory loss, thought disorders (i.e., hallucinations, paranoia, psychosis), and psychological dependency. Additional effects include occupational, social, and family problems as well as a reduction in motivation. Drug use by a pregnant woman may cause addiction or health complications in her unborn child.

#### *Education, Prevention, and Treatment*

TAMIU is committed to providing comprehensive alcohol and other drug education, as well as early intervention and referral services (*refer to pages 45 - 51*). Assessment, intervention, and referrals are available through the Human Resources Office, as well as through referrals to resources within the community, such as: therapists, counselors, treatment centers, and support groups. All contact with the Human Resources Office are confidential and may not be the basis of disciplinary charges. Health insurance coverage may be available for treatment of alcohol abuse and other illicit drug use problems. Employees should contact the Human Resources Office, or their individual health plan representative for information about insurance coverage.

\*Note: “Health Risks Associated with Alcohol and Other Drugs” section and the “Education, Prevention, and Treatment” portion were taken in verbatim from TAMIU’s [Drug and Alcohol Abuse- Office of Human Resources](#) document.

**Texas A&M International University**  
**Annual Fire Safety Report on Student Housing**  
Higher Education Campus Fire Safety Standards and Measures



**Annual Fire Safety Report**  
**Calendar Year 2016**

Compiled by the Office of Housing & Residence Life



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## **TEXAS A&M INTERNATIONAL UNIVERSITY (TAMIU)**

### **PROPERTY PROFILE**

- A. **GEOGRAPHIC LOCATION** – TAMIU is located in the border region of south-central Texas. Topography of this region is rolling hills and prairie. In winter, this region receives much of its rain; on occasion this area may experience sleet and icing. While most of the possible tornado activity occurs in the spring, heavy storms and high winds/low pressure centers have developed in other times of the year. In summertime, especially during a “dry” year, this area may be prone for small to moderate grass fires. As in nearly all areas of the country, warning system information is relayed to the public by radio and television.
  
- B. **IMMEDIATE ENVIRONMENT** – University Village and the Residential Learning Community are located on the TAMIU campus near the junction of State Highway Loop 20 and US 59. The Office of Housing & Residence Life serves the needs of TAMIU, housing nearly 700 students. There are NO approved shelters on the TAMIU Campus.
  
- C. **ABOUT THE UNIVERSITY** – A Member of The Texas A&M University System, TAMIU is committed to the preparation of students for leadership roles in their chosen profession in an increasingly complex, culturally-diverse state, national and global society. The University provides over 7500 students with a learning environment anchored by the highest quality programs built on a solid academic foundation in the arts and sciences. To fulfill its mission, the University offers a range of baccalaureate and masters programs and the Doctor of Philosophy degree in International Business. Programs focus on developing undergraduate and graduate offerings with a progressive international agenda for global study and understanding across all disciplines.

### **EMERGENCY AND OTHER IMPORTANT INFORMATION**

#### **REPORTING EMERGENCY:**

On campus phones – Police/Fire/Medical 2911

Off campus or cellular phones – 911

Non-Emergencies/General

University Police Department – 956-326-2100

Environmental Health & Safety – 956-326-2194

#### **OTHER IMPORTANT TELEPHONE NUMBERS:**

Housing & Residence Life – 956-326-1300

956-326-3210

Physical Plant – 956-326-2325

Fire Department – 911

## REPORT

This Report is developed as a requirement of the Higher Education Opportunity Act (Public Law 110-315).

### Fire Log information/location

TAMIU maintains a Fire Log available to the public online at <http://www.tamtu.edu/adminis/police/daily-fire-log.shtml>.

If you have questions regarding the log, or wish to speak with someone personally, you may by contacting the UPD, custodian of the record. UPD offices are located in Sue and Radcliffe Killam Library Room #005 (Basement) or by telephone at (956) 326-2100.

### DEFINITIONS (Source: Department of Education)

**Cause of fire:** The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.

**Fire:** Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

**Fire drill:** A supervised practice of a mandatory evacuation of a building for a fire.

**Fire-related injury:** Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term “person” may include students, employees, visitors, firefighters, or any other individuals.

**Fire-related death:** Any instance in which a person—

- (1) Is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or
- (2) Dies within one year of injuries sustained as a result of the fire.

**Fire safety system:** Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire. This may include sprinkler systems or other fire extinguishing systems, fire detection devices, stand-alone smoke alarms, devices that alert one to the presence of a fire, such as horns, bells, or strobe lights; smoke-control and reduction mechanisms; and fire doors and walls that reduce the spread of a fire.

**Value of property damage:** The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire, and related damages caused by smoke, water, and overhaul; however, it does not include indirect loss, such as business interruption.

## ON-CAMPUS STUDENT HOUSING INFORMATION

**PHYSICAL SIZE AND CONSTRUCTION** - The buildings that comprise the University Village community are four three-story brick veneer structures with a single story Community Center. The property is classified as an apartment development. The buildings that comprise the Residential Learning Community include four three-story traditional residence halls, a single story Community Center and a single story maintenance shop, all buildings are stucco with traditional wood soffits. Each Community Center houses a demonstration kitchen, swimming pool/spa, office space and recreational facilities.

All buildings that make up University Village and the Residential Learning Community are trimmed with a variety of combustible finishing materials including pinewood, cedar wood and masonite-type siding. All unit interiors are sheet-rock walls on concrete or gypsum-based concrete floors (second and third floor units).

### On-Campus Student Housing Facilities - Fire Safety Systems

*University Village, 4907 University Boulevard. Laredo, TX 78041.* All residential buildings are equipped with the following safety features: full coverage central sprinkler system in each unit, multiple integrated smoke detectors, range ventilation hoods and GFI electrical outlets near sinks. Fire safety equipment in units for the hearing impaired also includes a high-pitched horn and flashing strobe. A centrally monitored universal fire alarm system exists and is integrated with the sprinkler system, but there are no resident pull stations. Units are equipped with fire extinguishers.

*Residential Learning Community, 5281 University Boulevard. Laredo, TX 78041.* All residential buildings have a full coverage central sprinkler system and a centrally monitored fire alarm system; the systems are integrated and provide coverage for all spaces in the buildings. All rental units are equipped with the following safety features: integrated smoke detectors, and GFI electrical outlets near sinks. There are fire safety doors, fire alarm pull stations, and fire extinguishers located on each floor.

Facility	Fire Alarm Monitoring	Full Sprinkler System	Smoke Detection	Fire Extinguishers	Evacuation Plan and Placards	Number of Evacuation (Fire) Drills per year
<b>University Village</b> 4907 University Boulevard	X	X	X	X	X	2
<b>Residential Learning Community</b> 5281 University Boulevard	X	X	X	X	X	2

**FIRE STATISTICS**

<b>Fires Reported</b>	<b>Year</b>	<b>Number of Fires</b>	<b>Cause of Fire(s)</b>	<b>Number of persons with fire-related injuries</b>	<b>Number of persons in fire-related deaths</b>	<b>Value of property damage by each fire</b>	<b>Total</b>
<b>University Village 4907 University Boulevard Laredo, TX 78041</b>	2016	0	N/A	0	0	0	0
	2015	0	N/A	0	0	0	0
	2014	0	N/A	0	0	0	0
<b>Residential Learning Community 5281 University Boulevard Laredo, TX 78041</b>	2016	0	N/A	0	0	0	0
	2015	0	N/A	0	0	0	0
	2014	0	N/A	0	0	0	0

*\*ALL LISTED FIRES (IF ANY) OCCURRED ON-CAMPUS IN RESIDENTIAL HOUSING.*

**CALENDAR YEAR 2016**

University Village - 4907 University Boulevard. Laredo, TX 78041

*There were no fires reported for the 2016 period.*

Residential Learning Community – 5281 University Boulevard. Laredo, TX 78041

*There were no fires reported for the 2016 period.*

**CALENDAR YEAR 2015**

University Village - 4907 University Boulevard. Laredo, TX 78041

*There were no fires reported for the 2015 period.*

Residential Learning Community – 5281 University Boulevard. Laredo, TX 78041

*There were no fires reported for the 2015 period.*

**CALENDAR YEAR 2014**

University Village - 4907 University Boulevard. Laredo, TX 78041

*There were no fires reported for the 2014 period.*

Residential Learning Community – 5281 University Boulevard. Laredo, TX 78041

*There were no fires reported for the 2014 period.*

## **FIRE SAFETY POLICIES**

### **POST-FIRE REPORTING PROCEDURES**

After a fire, students or employees should report any information they have concerning the cause of the fire to:

University Police Department- Police Dispatchers at 956-326-2100.

Environmental Health and Safety at 956-326-2194.

Office of Housing and Residence Life –Director of Housing and Residence Life or designee at 956-326-1300.

### **FIRE EQUIPMENT**

Residents who tamper with fire equipment are subject to disciplinary action, possible prosecution, possible eviction and a possible fine.

- Tampering with smoke detectors is strictly prohibited.
- Tampering with fire alarms is strictly prohibited.
- Tampering with fire hoses/extinguishers is strictly prohibited.
- Tampering with sprinkler systems is strictly prohibited.

Tampering with any of the above, which results in a response from the local fire department, is in violation of State and local ordinances.

**FIRE SAFETY** – The greatest threat to any community is that of a fire. The sounding of a fire alarm should be taken seriously. In the event of an alarm, tenants are to vacate the premises immediately. University and Community staff will instruct tenants when they will be allowed to return to their rooms. Fire can produce deadly smoke, heat, and toxins. Therefore, it is imperative that you take all attempts to prevent a fire from starting and to protect the lives of your roommates and yourself should a fire occur. To assist you we have installed various warning devices and a fire extinguisher in each unit.

**A. SMOKE DETECTORS** – Annually the Office of Housing and Residence Life will test the smoke detector(s) in the unit for proper operation and working batteries. Residents are advised to not render the smoke detector(s) inoperable or fail to keep working batteries installed and report to the housing office any malfunctioning or inoperable smoke detector(s).

**B. FIRE EXTINGUISHERS** – Fire extinguishers are inspected regularly and recertified by a fire safety company annually. Should it become necessary for the discharge of a fire extinguisher, residents must notify the housing office at (956) 326-1300, once the danger has passed, so that safety and risk management personnel can inspect the unit for damages and replace the discharged fire extinguisher(s). Should Housing and Residence Life discover that either a fire extinguisher has been discharged or the resident had a fire and did not report the event to the housing office, each resident of the unit will be fined \$250.00 for endangering the safety of others.

**C. LIGHTING SOURCES & OPEN FLAMES** – Residents may not use **halogen lamps, candles, incense or any open flame** in the unit. If the power goes out, use flashlights only. **Do not store dangerous substances, flammable liquids and/or chemicals in or around your unit.**

**D. TAMPERING/ALTERING/FALSE ALARMS** – Fire warning devices and safety equipment are to be used only in cases of emergencies. Warning devices or safety equipment are not to be rendered

inoperable through vandalism, being disconnected from their primary power source or any other form of tampering. Tampering with smoke detectors may result in a fine of \$500.

**E. BARBECUE GRILLS** – Fire code prohibits storage or use of barbecue grills in or on any building, walkway, or stairway. Housing and Residence Life will dispose of grills found on the premises. Community grills are available for residents only, grills and grill area should be left clean for the use of others.

**SMOKING PROHIBITED** – Smoking is prohibited in all indoor areas of community and its related environments. Residents may not smoke indoors or anywhere within 50 feet of any public building, sidewalk, entrance gate or commonly used amenity, other than a designated smoking area. During Health and Safety Inspections, if there is evidence of in-room/unit smoking (i.e., used ashtrays, ashes, or other implements related to smoking) a \$250.00 fine may be imposed. Students caught smoking inside any Community indoor space will face disciplinary sanctions and through the University judicial process, face the loss of student status.

- Smoking is prohibited inside at all times in all housing areas.
- Smoking is **NOT** permitted in resident rooms/units.
- Smoking is permitted only on the sidewalks of the housing facilities and no closer than 50 feet from the nearest window or door.
- If a resident or staff member asks you to move further away from their apartment due to unwanted smoke entering through an open door or window, you must abide by their request.

### **APPLIANCES**

Residents may bring personal items to campus for use in their rooms, provided that such items do not endanger resident safety, restrict reasonable freedom of movement with a rooms shared living space, and do not violate policy guidelines. All appliances must have the Underwriter's Laboratory (UL) approval. If any prohibited items are found, they will be confiscated. Any items that are confiscated will be held in the Community Office until the next break period.

- Refrigerator capacities cannot exceed 5 amps, and may be no larger than 3 feet in height. Please note; a mini-fridge is provided to all residents of the RLC and a full size refrigerator to residents of University Village.
- Small microwave ovens (900 watts or less) are permitted in resident rooms. Please note a microwave is provided to all residents as part of the appliance package.
- For Fire Safety reasons, appliances with open heating elements (i.e., hot plates, toasters, toaster ovens, electric skillets, indoor grills, etc.) may not be used in RLC resident rooms.
- Residents of University Village may have toasters and other common small kitchen appliances.
- Halogen lamps are strictly prohibited.

### **Other items, because they constitute a fire hazard**

- Live-cut Christmas trees.
- Decorations that obstruct the sprinklers or smoke detectors.
- Electrical Power Strips and Extension Cords that do not have integrated circuit breakers.
- Fireworks/Explosives/Hazardous Materials.

## **Student Housing Fire Evacuation Procedures**

If a fire alarm is sounded, do the following:

### **STUDENTS**

1. REMAIN CALM.
2. GET OUT OF THE BUILDING!
3. A. Residential Learning Community  
Report to your building's gathering location:  
Sanchez Hall: Parking lot area across the street from the facility.  
  
Cabeza de Vaca Hall: North end of Basketball Court (inside cage).  
  
Champlain Hall: South end of Basketball Court (inside cage).  
  
Balboa Hall: Parking lot area SOUTH of the Observatory  
(side closest to the athletic fields).  
  
B. University Village  
Report to your building's gathering location  
ALL UV BUILDINGS evacuate to the parking lot directly east of  
University Village.

### **EMPLOYEES**

1. REMAIN CALM.
2. Direct/Assist students to an appropriate exit and GET RESIDENTS OUT OF THE BUILDINGS
3. GET YOURSELF OUT OF THE BUILDING!
4. A. Residential Learning Community  
Report to your building's gathering location:  
Sanchez Hall: Parking lot area across the street from the facility.  
  
Cabeza de Vaca Hall: North end of Basketball Court (inside cage).  
  
Champlain Hall: South end of Basketball Court (inside cage).  
  
Balboa Hall: Physical Plant Parking lot  
(side closest to the athletic fields).  
  
B. University Village  
Report to your building's gathering location  
ALL UV BUILDINGS evacuate to the parking lot directly east of  
University Village.



**FIRE DRILLS:**

The Office of Housing and Residence Life conducted announced fire drills in March and October 2016, at each facility, one of which coincided with the annual certification of the fire alarm system.

***FIRE SAFETY EDUCATION AND TRAINING PROGRAMS***

Fire safety education programs for all students living in on-campus student housing and all employees that have any association with on-campus student housing are held at the beginning of each semester. These programs are designed to: familiarize everyone with the fire safety system in each housing facility, train everyone on the procedures to be followed in case there is a fire and distribute information on the University's fire safety policies. During programs, trainers emphasize that participating in fire drills is mandatory. Students with disabilities rooms are noted by the housing office and are given the option to have a "buddy" assigned to them. Fire safety education and training programs are taught by the Environmental Health and Safety Office as well as the director of housing who is experienced in fire safety matters.

If a fire occurs, students are instructed to leave hazardous areas per the evacuation routes and get to a predetermined location before calling 911 for help. They are to remain in that location so that the director of housing or someone from the Office of Housing and Residence Life has documented that the student has left the building. RAs are instructed to pull the fire alarm as they are leaving the building if they can do so without risking their safety.

***FIRE SAFETY INSPECTION PROGRAM***

TAMIU conducts several levels of fire and life safety inspections in all of our residence hall and apartment facilities. Inspections are generally conducted on a semester basis with the University Physical Plant, in addition to the semester and monthly health and safety inspections conducted by the department. During the year, University's Physical Plant conducts inspections of fire safety equipment in compliance with the requirements of the National Fire Protection Association. In February 11, 2016 and May 2017, residential facilities were inspected by the State Fire Marshal and no deficiencies were found. The next state inspection is slated for April 2018.

Monthly Inspections – Each month, housing staff conduct egress area fire safety inspections. These areas include corridors, stairways, and exit paths.

Pre-Occupancy Inspections – Prior to occupancy of each fall, spring and summer semester, a more in-depth inspection is conducted. These inspections include all common areas, mechanical, electrical, and custodial areas within each building as well as exit paths outside of the facilities.

Annual Inspections – Once each calendar year, a complete fire and life safety inspection is conducted under the oversight of the Office of Environmental Health and Safety.

Fall Room Inspections – Health and Safety inspections are conducted (fire and life safety inspections) of all campus residences during the Fall Semester. The intent of these inspections is to increase the level of safety and safety awareness for all occupants of the residences. These inspections include resident rooms and staff offices as well as mechanical and common areas. Inspections will be conducted in the presence of a staff member. Advance notification of all inspections will be provided to hall staff. Safety practices in general and the Fire/Life safety rules found in the rules section will be the primary focus of the inspection. These inspections will look for items such as:

Electrical: Use of extension cords, cover plate missing/damaged, electrical wiring frayed/damaged/crimped, multi adapter without breaker in use, prohibited/ unapproved appliances.

Fire Alarm Equipment: smoke detector obstructed (min. 24” clearance), smoke detector damaged.

Ignition Sources/Combustible Products: candles/incense being present in the room, flammable liquids in the room, combustible materials near electrical source, and excessive fire load in the room.

Emergency Planning: absence of the evacuation plan on the back of the room door, window/door obstructed.

Miscellaneous: poor housekeeping, floor/wall/ceiling penetrations, and the door closure missing/damaged.

### ***Plans for Future Improvements in Fire Safety***

The University continues to assess and upgrade fire safety equipment as an ongoing process to ensure that all equipment meets National Fire Safety standards. Future improvements will be made as needed as part of the ongoing assessment process.

### **REPORT CONTACT INFORMATION**

For purposes of including fire statistics in the Annual Fire Safety Report, employees and students should report all instances that a fire occurred in on-campus student housing to the individuals listed below. These individuals also can provide additional information about this Report.

Mirasol Tabarez  
Director, Housing & Residence Life  
Office of Housing & Residence Life  
[mtabarez@tamiu.edu](mailto:mtabarez@tamiu.edu)  
956-326-1300

Adrian Dominguez  
Safety & Risk Manager,  
Office of Environmental Health and Safety  
[adrian.dominguez@tamiu.edu](mailto:adrian.dominguez@tamiu.edu)  
956-326-2756

Kristina E. Morales  
University Police Department Compliance Coordinator  
University Police  
[kristina.morales@tamiu.edu](mailto:kristina.morales@tamiu.edu)  
956-326-3105

**Resources**

**TAMIU Emergency Services**

**University Police**

Emergency.....911 or 956-326-2911  
Non-Emergency.....956-326-2100

**Fire or Medical**

Emergency ..... 911  
Non-Emergency.....956-718-6000  
Doctors Hospital of Laredo.....956-523-2000  
Laredo Medical Center.....956-796-5000

**TAMIU Campus Security Authorities (functional area)**

University Police Department.....956-326-2100  
Office of Student Orientation, Leadership, and Engagement.....956-326-2280  
Office of Student Success.....956-326-2273  
Office of Housing and Residence Life.....956-326-1300  
Office of Student Health Services.....956-326-2235  
Department of Athletics.....956-326-2730  
Director of Human Resources.....956-326-2365  
Director of Texas Academy of International and STEM Studies.....956-326-2861  
Office of Compliance (Title IX).....956-326-2855  
Office of International Engagement.....956-326-2282  
Office of Student Conduct and Community Engagement.....956-326-2265  
Office of Advising & Mentoring.....956-326-2886

*\*All employees from the listed departments/offices above are campus security authorities. If a “director” is listed, that means only that specific person is a campus security authority.\**

**TAMIU Services**

Student Counseling Services .....956-326-2230  
Student Health Services .....956-326-2235  
24 hour on-campus service (UPD) ..... 956-326-2911

**Shelters:**

Mercy Ministries of Laredo (Casa de Misericordia Shelter).....956-718-6810

**Social Service Organizations**

Casa de Misericordia (Non-Residential Services)  
(Domestic Violence Information and Guidance).....956-712-9590  
Family Counseling & Social Services.....956-724-3604  
Child Protective Services.....956-728-7383  
SCAN/SASI.....956-724-3177  
Salvation Army.....956-723-2349  
National Suicide Prevention Lifeline.....800-273-8255  
Border Region MHMR ..... 800-643-1102

**Local Legal Assistance**

District Attorney’s Office (Protective Orders & Domestic Violence Unit).....956-523-4900  
Texas Rio Grande Legal Aid.....956-718-4600