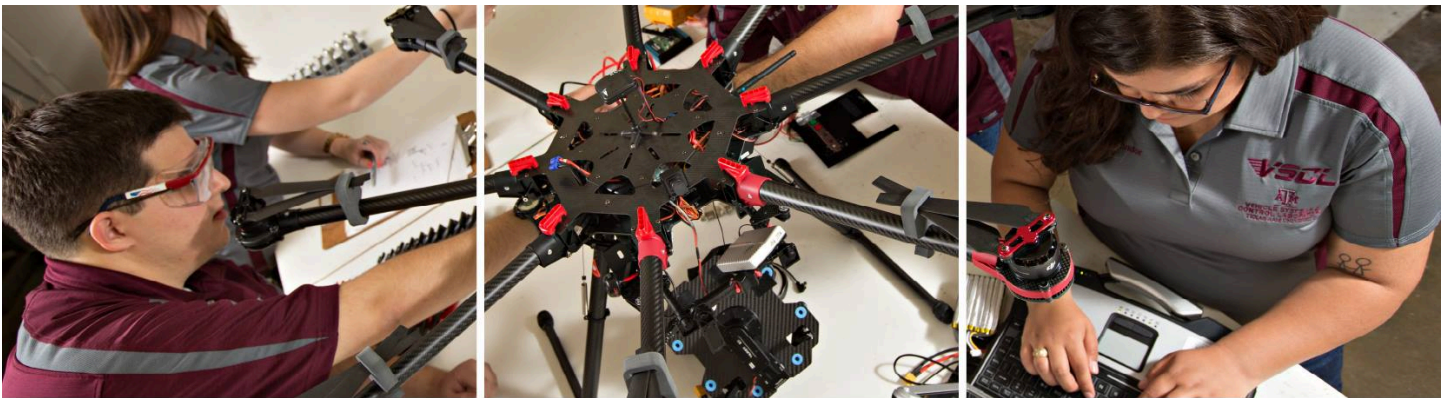




# TEXAS A&M INTERNATIONAL UNIVERSITY RELLIS CAMPUS ANNUAL SECURITY REPORT 2019 (Information for 2019-2020 Academic Year)

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



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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.tamiu.edu/clery/rellis.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@tamiu.edu](mailto:dispatcher@tamiu.edu) for assistance.

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## **Texas A&M University System RELIS Academic Alliance**

Institutions and agencies within the Texas A&M University System and Blinn College are collaborating to provide relevant academic and workforce training programs and conduct state-of-the-art research through the RELIS Academic Alliance (hereafter RELIS) campus. RELIS, formerly known as the Riverside Campus, is owned by The Texas A&M University System (TAMUS), controlled by the institution for purposes of the Clery Act, and located eight miles from the TAMUS main campus in College Station (Texas A&M University). Recent construction of RELIS facilities during calendar years 2017 and 2018 created an expanded campus where students participate in research and testing with multiple agencies in the TAMUS, federal, state, and local governments, and private industry. Additional paths toward college degrees have also been established at RELIS. Post-secondary degree education and training were offered at the beginning of Fall 2018 with programs through Blinn College and multiple universities under the TAMUS. The educational program at RELIS is comprehensively called the RELIS Academic Alliance and includes plans for further facility expansion in 2019.

Policy statements in this Annual Security Report (ASR) are relevant to Texas A&M International University (hereafter TAMIU) students, faculty, and staff located at RELIS and reflect the same policies, practices, and services that are applicable to TAMIU unless otherwise stated. Other RELIS Academic Alliance students and employees not enrolled in or employed by TAMIU, may have differing policies, practices, and services provided by other entities that are not required to be disclosed in this ASR. TAMIU first enrolled students and employed staff at RELIS in Fall 2019.

### **Annual Security Report**

The Texas A&M International University Police Department (TAMIU PD) is responsible for preparing and distributing the ASR to comply with the *Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (the Clery Act)*. The ASR is published every year on or before October 1 and contains three years of selected campus crime statistics, along with certain campus security policy statements in accordance with the Clery Act. This year, no statistics will be reported for the RELIS campus as students began classes in Fall 2019. The ASR statistical data will be gathered from various sources including the Title IX Coordinator at RELIS, Texas A&M University Police Department (TAMU PD), Blinn College PD, and other members or departments from TAMIU.

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

Enacted in 1990, *The Crime Awareness and Campus Security Act* was designed to assist the campus community in making decisions which affect their personal safety and to ensure institutions of higher education provide current and prospective students and employees with campus security information annually, to assist them in avoiding in 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).

Furthermore, the Clery Handbook for Campus Safety and Security Reporting was last updated in 2016. Under the updated Clery Handbook regulations, RELIS meets the elements of a separate campus. As a result, TAMIU is required to develop and distribute a separate Annual Security Report for this campus. The 2019 RELIS ASR includes current crime and security policy statements. Crime statistics will be reported in the next Clery reporting cycle, which is to include the 2019, 2018, and 2017 calendar year statistics, but there will only be partial 2019 calendar year statistics provided. This is the result of students beginning courses in Fall 2019.

### **Annual Security Report Notifications**

Each year, an email notification is distributed to all current students, faculty, and staff University email addresses providing the website to access the report. The notice includes a statement of the Report's availability, a brief description of the contents of the Report, the exact URL at which the report can be accessed, and information regarding how to obtain a paper copy. The full report can be found at the following link: <http://www.tamiu.edu/clery/rellis.pdf>. Upon request, individuals may obtain a written paper copy of the report at the University Police Department Building, 5201 University Boulevard, Laredo, Texas 78041. Additionally, individuals may call TAMIU PD to request a hard copy at 956-326-2100 or via email at [dispatcher@tamiu.edu](mailto:dispatcher@tamiu.edu).

Prospective employees are notified of the availability of the ASR before applying for any positions with TAMIU at: <https://www.tamiu.edu/adminis/ohr/employment/>.

Prospective students are notified of the availability of the ASR through an email distributed when applying for admissions. Additionally, students have website access to the ASR at the RELIS homepage: <https://www.tamtu.edu/rellis/>.

### **RELLIS Campus Law Enforcement Overview**

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

The TAMU PD has 172 authorized positions including 81 state certified Police Officers, 61 Security Officers, 13 Communications Officers, and 17 administrative support personnel. The department maintains a fully staffed Criminal Investigations Division, a Community Services Division, a Recruiting Unit, a Training Division, Records Division, Communications Division, Evidence Technician, an Emergency Communications Center, and a Victim Advocate. Patrol is the core of TAMU PD. These officers are the ones who answer calls for service, respond to alarms and enforce state criminal and traffic laws. The department also has police officers responsible for specialized assignments including Criminal Investigations, Crime Prevention, Bomb Detecting K9, and Bicycle Patrol.

To provide a safe campus for students, staff, faculty and visitors, the TAMU PD has uniformed officers on patrol 24-hours a day, 365 days a year at the main campus who are available to respond to the RELIS campus. TAMU PD Security Officers work closely with TAMU PD armed Patrol Officers by constantly patrolling University properties and staffing fixed posts at some facilities. Additionally, a TAMU PD officer with a patrol car is dedicated to RELIS and patrols the campus on weekdays from 7:30am to 5:30pm excluding major holiday breaks when students are not present. TAMU PD security personnel patrol the RELIS campus each evening, including weekends, for an eight-hour period beginning at dusk.

A Memorandum of Understanding (MOU) has been established between the Blinn College Police Department (BCPD) and the TAMU PD to coordinate police service for the RELIS campus. During normal business hours, BCPD provides a police officer dedicated to facilities at RELIS that are occupied by Blinn students and employees, and the RELIS campus, in general. The Blinn officer is located at the RELIS campus in the Walter C. Schwartz Building (Blinn Academic Building), 1366 Bryan Rd., Bryan, TX 77807.

In addition, during evening and weekend hours, a security company patrols the RELIS campus for an eight-hour period from approximately dusk to dawn.

#### *Jurisdiction*

TAMU PD is the primary police authority for the RELIS campus. TAMU PD officers are certified Texas peace officers as defined in article 2.12 of the Texas Code of Criminal Procedure. Pursuant to Section 51.203 of the Texas Education Code, police officers commissioned by a state institution of higher education have authority and jurisdiction in all counties in which property is owned, leased, rented, or otherwise under the control of the institution of higher education.

#### *Arrest Authority*

As peace officers, TAMU PD's armed police officers have the same authority to detain and arrest as municipal police officers. While security officers do not have authority to detain or make arrests, their presence and observations at various campus locations support and assist the work of the Patrol Division. BCPD officers at RELIS also have authority to detain and arrest. Evening and weekend security personnel do not have arrest authority.

#### *Enforcement Authority*

TAMU PD is computer-linked to city, state and federal criminal justice agencies, which provides access to criminal records, wanted persons, stolen property, and vehicle information. All crimes occurring at RELIS should be reported to TAMU PD or submitted to TAMU PD by BCPD officers or contract security. TAMU PD investigates and refers crimes for prosecution through the Offices of the County Attorney and District Attorney when appropriate. Criminal matters involving students may also be referred to the appropriate University's administration for disciplinary action.

### *Working Relationships and Agreements*

TAMU PD maintains excellent working relationships with all area law enforcement agencies including the College Station Police Department, Bryan Police Department, Brazos County Sheriff's Office, BCPD, and all four Brazos County Constable Offices. These working relationships are maintained through a written mutual aid agreement and MOU's specific to RELLIS. The agreements allow for cooperation in the performance of police protection including the investigation of alleged crimes, enforcement of laws, and communication between agencies pursuant to the agreement. Working relationships are also maintained through periodic communications among agency administrators and frequent contacts between line officers and investigators cooperating on specific cases. Through these relationships, TAMU PD may be provided information regarding student non-campus criminal activity, including student organizations with non-campus housing.

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

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

### **Monitoring Non-Campus Locations**

RELLIS does not currently recognize any non-campus housing or non-campus student organization facilities that fall outside of the core campus, Clery Geography. Therefore, TAMU PD does not monitor and record criminal activity since there are no non-campus locations of student organizations for the separate campus. Should a TAMU student(s) be involved in an off-campus incident, the TAMU PD will assist the jurisdictional authority with their investigation, as requested.

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

Any criminal actions or other emergencies at RELLIS should be reported immediately to TAMU PD or BCPD by dialing 911 or 9-911 from a campus phone, 911 from a cellular phone, or in person. If you are using a campus phone (landline), you may dial either 911 or 9-911 and you will reach an emergency operator. For non-emergencies, contact TAMU PD at 5-2345 from a campus phone or call 979-845-2345 from an off campus phone, campus payphone, or cell phone. Upon receipt of the call, the TAMU PD Communications Center personnel can supply information or dispatch officers as necessary. TAMU PD officers located at RELLIS are located in the TEEX LAW Office Building and can be contacted at 979-845-2345. Electronic crime reports can be filed with TAMU PD by emailing [upd@tamu.edu](mailto:upd@tamu.edu). The Blinn police officer located at the RELLIS is located in the Blinn Academic Building or can be contacted at 979-209-7600 or at 911 for emergencies occurring at or near the RELLIS campus.

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

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

We encourage prompt and accurate reporting of crimes and other emergencies including when the victim elects to, or is unable to make such a report to the TAMU PD or BCPD. If a crime is not reported promptly, evidence can be destroyed, or the potential to apprehend a suspect can be lost. Without accurate reports, leads could be missed and an investigation could head in the wrong direction. If you witness a crime or emergency, promptly report it to the TAMU PD and be prepared to answer questions as accurately as you can. If you are the victim of a crime, or you have seen or received information of criminal activity or any other emergency, please contact the TAMU PD immediately.

*Campus Law Enforcement Telephone Directory*

- Emergencies-from on campus phones/Police/Fire/Medical 911 or 9-911
- Non-Emergencies/General Assistance 979-845-2345
- BCPD at RELIS 979-209-7600
- TAMU PD at RELIS 979-845-2345

*Reporting Criminal Offenses to University Officials: Campus Security Authorities*

Faculty, staff, students, and visitors are encouraged to report any criminal offenses that occur on Clery geography (on campus, non-campus, public property) directly to TAMU PD or BCPD located at RELIS. For non-campus offenses, we encourage accurate and prompt reporting to the proper local law enforcement agency. You may also report criminal offenses of which you are aware to the following RELIS personnel or offices:

The RELIS Campus is located at 1300 TX-47, Bryan, Texas, 979-317-3410.

<i>Office Name</i>	<i>Phone Number</i>	<i>Office Location</i>
• RELIS Title IX Coordinator	979-845-0977	General Services Complex 2101
• RELIS Associate Director	979-319-3402	Academic Complex, Phase 1 Building 106F
• TAMU PD	979-845-2345	1111 Research Parkway, College Station, TX 77843

Crime reports provided to campus security authorities (CSAs) are used by the institution to fulfill its responsibility to annually disclose accurate crime statistics and to issue or facilitate the issuance of timely warnings or emergency notifications. CSA crime reports should include sufficient detail such as dates and locations, and where appropriate, personally identifying information, including name and contact information, if available. For additional information on the duties and responsibilities of the individuals and offices listed above, see the CSA PowerPoint Presentation link located on the following webpage: <https://upd.tamu.edu/CSA%20Reporting/CSA%20Slides.pdf>. All CSAs are required to report any Clery Act violations. Students and employees should report any criminal incidents to TAMU PD for the purpose of making timely warning notice and emergency notification determinations.

Students, faculty, staff, community members, and guests are encouraged to report all crimes and public safety related incidents to TAMU PD, BCPD, or the appropriate police agencies in an accurate and prompt manner. TAMU PD has a Victim Services program that provides victims with the victims' rights, as well as assistance in dealing with the traumatizing consequences of crimes. TAMU PD officers provide TAMU PD Victim Services contact information to victims and witnesses. TAMU PD, TAMU PD Victim Services, and university offices will assist individuals in notifying the proper law enforcement authorities, if the individual chooses. Individuals have the right to decline to notify authorities. It is the goal of the institution to provide assistance wherever the report is made and include Clery countable crimes in the ASR. All incidents reported, whether there is a formal police report or not will be reflected on the annual disclosure of crime statistics in the ASR. All reported violations that have taken place on Clery geography at the RELIS campus, regardless of whether a TAMU student, faculty, or staff member was involved, will be reflected in future reports. This year's ASR does not require TAMU to disclose crime statistics given that students began taking courses at RELIS in Fall 2019. This Clery cycle covers crime statistics for the three previous calendar years (2018, 2017, and 2016); therefore, we have no statistics to report at this time.

### *Professional and Pastoral Counselors*

While TAMU and the TAMU PD always request that crimes on the RELLIS campus be reported promptly, TAMU and TAMU PD do support professional and pastoral counselor's professional obligations to not disclose or report certain incidents. 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. TAMU 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.

### **Confidential and Anonymous Reporting of Crimes**

TAMU PD encourages anyone who is the victim or witness to any crime to promptly report the incident to TAMU PD, BCPD, or the appropriate police agency. Because police reports are public records under state law, TAMU PD cannot hold reports of crimes in confidence. However, victims of certain offenses are eligible to use a pseudonym in which the victim's identity will not be released. Voluntary confidential reports can assist RELLIS with keeping an accurate record of the number of incidents involving persons on campus, determine if there is a pattern of crime concerning a particular location, method, or assailant, and alert the campus community of potential dangers, if necessary. An individual who is involved in or witnesses an active or ongoing emergency should dial 911 and report the emergency immediately.

Victims, witnesses, and others can generally make voluntary confidential reports for purposes of inclusion in the annual disclosure of crime statistics and crime log. Annual crime statistics and information disclosed in the daily crime log are confidential and will not include personally identifiable information. Crimes can be reported anonymously by calling Crime Stoppers at 979-775-TIPS (8477). Concerning behavior, including crimes, can be reported anonymously to the TAMU Special Situations Team via the Tell Somebody online reporting form. The form and more information can be found at <https://tellsomebody.tamu.edu>. Reports submitted anonymously or with limited information may restrict the team's ability to follow up on the incident.

### **Timely Warning Policy**

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

TAMU PD coordinates with the main TAMU campus, the BCPD, and TAMUS to generate and issue timely warnings (crime alerts) on behalf of the RELLIS campus using established procedures as described below.

The circumstances in which a Crime Alert will be generated include, but are not limited to, the receipt of a report to TAMU PD or other CSAs of a crime reportable under the Clery Act, that poses a serious or continuing threat to the campus community. The Chief of Police, or an Assistant Chief, is responsible for determining if a Crime Alert will be issued. Crimes that may warrant a Crime Alert include, but are not limited to, major incidents of arson, murder/non-negligent manslaughter, robbery, aggravated assault, sex offenses, or other crimes as deemed necessary by the Chief of Police or an Assistant Chief. The determination will be made on a case-by-case basis after due consideration of all available facts of the crime, such as the nature of the crime and whether or not a continuing danger to the campus community exists. If TAMU PD or other CSAs are not notified of a crime in a manner that would allow the institution to provide timely notice, a Crime Alert may not be issued. All situations will be evaluated on a case-by-case basis.

TAMU PD is responsible for writing and issuing Crime Alerts for crimes occurring at the RELLIS campus. Personnel authorized to write and/or issue (send) a Crime Alert are: the TAMU PD Chief of Police, the TAMU PD Assistant Chiefs, the TAMU PD Public Information Officer, the TAMU PD Clery Act Compliance Officer, the RELLIS Associate Director, and the BCPD Chief of Police. An internal and external review among two or more authorized personnel may occur if time allows. Anyone with information warranting a Crime Alert should immediately report the circumstances to TAMU PD, by phone at 979-845-2345 or in person at TAMU PD located at 1111 Research Parkway, College Station, TX 77843. BCPD 979-209-7600 and TAMU PD 979-845-2345 at RELLIS can also be contacted and/or dispatched by phone.



Crime Alerts are issued through email to students, faculty, and staff in a manner that is timely, that withholds the names of victims as confidential, and that will aid in the prevention of similar occurrences. Recipients include TAMIU students and employees at RELLIS and students and employees that are part of the RELLIS Academic Alliance campus. Information regarding the Crime Alert may be forwarded to local media outlets through a formal press release. Crime Alerts contain sufficient information about the nature of an identified threat to assist members of the campus community in taking appropriate action to protect themselves or their property. Crime Alerts generally include:

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

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

### **Emergency Response and Evacuation Policy**

The procedures disclosed in this section apply to significant emergencies or dangerous situations occurring at the RELLIS campus located in Bryan, TX.

#### *Emergency Notification System*

TAMU PD coordinates with the main TAMU campus and Blinn College to generate and issue emergency notifications on behalf of the RELLIS campus using established procedures. The following describes the two emergency notification systems.

The TAMU emergency notification system (Code Maroon) is being utilized to notify TAMU students and employees (and TAMUS member agency employees, including TAMIU) located at RELLIS of significant emergencies or dangerous situations occurring at the RELLIS campus. The Blinn College emergency notification system (Blinn Alert) is being utilized to notify Academic Alliance students and employees located at RELLIS of significant emergencies or dangerous situations occurring at the RELLIS campus. Authorization and access has been coordinated for efficiency and distribution of identical communications.

The Code Maroon and Blinn Alert emergency notification systems give the campus the ability to communicate health and emergency information through one or all of the following mechanisms: SMS text message and email. Code Maroon also utilizes Twitter and RSS. TAMU will use the Code Maroon and Blinn Alert systems only to provide official notification of critical emergencies (i.e., situations that pose an imminent threat to the community). It is the policy of TAMU to immediately notify the campus community, via the Code Maroon and Blinn Alert emergency notification systems, upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the RELLIS campus. Individuals receiving the emergency notification will also be advised with follow-up information, as needed, using the same method(s) as the original notification. Personnel from Texas A&M Office of Safety and Security determine whether or not a significant emergency or dangerous situation exists by evaluating information received from entities which may include, but are not limited to: law enforcement (including the BCPD), fire department, National Weather Service, Environmental Health and Safety, and other campus officials including personnel from the RELLIS Campus Executive Leadership. The Office of Safety and Security advises RELLIS Campus Executive Leadership of emergencies or dangerous situations occurring at the RELLIS campus and the resulting Code Maroon and Blinn Alert messages, if any, as time allows.

The Code Maroon and Blinn Alert emergency notification systems do not replace the Crime Alert requirement. They differ in that the Crime Alert requirement applies only to Clery reportable crimes, while the emergency notification system addresses a much wider range of threats (i.e., gas leaks, tornadoes, active shooter, etc.). If an emergency notification is issued, the campus is not required to issue a Timely Warning/Crime Alert based on the same circumstances. However, the institution will have to provide adequate follow-up information to the community as needed.

The generation of a Code Maroon and Blinn Alert message and activation of the notification systems is the responsibility of the Office of Safety and Security. Upon notification from an authorized Office of Safety and Security employee, the TAMU PD will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the Code Maroon and Blinn Alert notification systems unless issuing the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims, or to contain, respond to, or otherwise mitigate the emergency. Victim names and other identifying information of victims are never included in emergency notifications.

Personnel authorized to make a final determination of a significant emergency or dangerous situation, and to issue a Code Maroon and Blinn Alert are: the TAMU PD Chief of Police, the TAMU PD Assistant Chief(s) of Police, TAMU PD Patrol Supervisors, the Associate Vice President for Safety and Security, Environmental Health and Safety Directors, Environmental Health and Safety Assistant Directors, and TAMU PD Dispatchers. If time permits, final message content will be approved at the highest level available. However, in circumstances where time is of the essence, a TAMU PD Dispatcher is authorized to select, modify, and send one of the warnings that are pre-scripted for that purpose. An example of such an urgent message could include a message issued for a tornado or for an active shooter incident. TAMU PD Dispatch may also issue/send Code Maroon and Blinn Alert message when notified by one of the authorized individuals.

Code Maroons are issued to the entire TAMU campus community, including TAMU students and employees at RELLIS and other Academic Alliance students and employees, rather than to specific segments of the campus population. Blinn Alerts are issued to the entire Blinn College, Bryan campus community including Academic Alliance students and employees at RELLIS, rather than to specific segments of the campus population. In the event of a system problem, certain trained individuals from TAMU Information Technology can be called upon to issue an alert from a remote location.

Periodic tests of the Code Maroon emergency notification system are conducted at least three times each year, near the beginning of each semester. These tests are launched by the Communications Division of TAMU PD. After each test, or actual alert, TAMU Information Technology will analyze and report on the functionality of each communication channel within the notification system. The report is provided to the Associate Vice President for Safety and Security and the Executive Director - Deputy Chief Information Officer with communication of significant issues to their management. Any test may be cancelled by the Associate Vice President for Safety and Security. Reasons for cancelling tests include the existence of real threats that could necessitate sending an emergency message, recent emergency messages that obviate the need for the test, etc.

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

### **Registering for Emergency Notifications**

#### *Students, Faculty, and Staff Access*

The Code Maroon emergency notification system allows students, faculty and staff who have a Texas A&M NetID and password to register to receive text message alerts. Emergency alerts are automatically sent to all Texas A&M email (Gmail and Exchange) addresses. The system also pushes the emergency notification message to KAMU-FM radio, campus cable television, the classroom notification system, Emergency Alert System radios, campus digital signage, campus pop-up messages when connected to the Texas A&M network, Twitter and RSS. To register, visit: <http://codemaroon.tamu.edu>.

The Blinn Alert emergency notification system allows Academic Alliance students, faculty and staff to receive email and text message alerts. Emergency alerts are automatically sent to all Academic Alliance cell phone and email addresses registered with the TAMUS.

### *Public Access*

Parents, family, and friends of Texas A&M can receive emergency alerts by subscribing to Code Maroon's RSS feed or following "TAMUCodeMaroon" on Twitter to see alerts in your Twitter feed and/or receive alerts via text message through your Twitter account. To learn how, visit the following webpage: <http://codemaroon.tamu.edu/PublicAccess.aspx>.

The public cannot register for Blinn Alert.

### *Disseminating Information to the Larger Community*

In the event that a crisis occurs on RELLIS property, the TAMUS Office of Marketing and Communications will be notified as soon as possible. As chief spokesperson(s) for the campus, TAMUS Marketing and Communications staff will ultimately be responsible for providing strategic direction and implementing protocols as outlined in the emergency communications plan. TAMUS Marketing and Communications will work with RELLIS Police Public Information Officer and the RELLIS Director to prepare and disseminate internal and external messages, distribute news releases, respond to media inquiries, update the main University website with pertinent information, and share timely information as appropriate via digital channels. The TAMUS Risk Management Office will serve in a liaison capacity when necessary. In addition, TAMUS Marketing and Communications will be responsible for planning, scheduling, and providing logistical support for news conferences as well as coordinating communication efforts with relevant entities and organizations. In case of an emergency, the Texas A&M University Code Maroon webpage will be updated with current information pertaining to the incident at <https://codemaroon.tamu.edu/>. Individuals receiving the emergency notification will also be advised with follow-up information, as needed, using the same method(s) as the original notification.

### **Emergency Preparedness**

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

The RELLIS campus Emergency Operations Plan is the primary plan that describes the general framework for emergency response at the campus. The RELLIS Campus Director in coordination with TAMUS Risk Management is responsible for maintaining and updating this plan. This plan shall be reviewed at least annually and updated based upon deficiencies identified during actual emergency situations, training and exercises, and when changes in hazards, resources, capabilities or organizational structure occur. A revised or updated plan will be provided to all departments and individuals tasked within this plan in addition to TAMUS Risk Management.

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

Emergency response and evacuation procedures are to be publicized annually in conjunction with a test through an email to the RELLIS campus community that will include TAMIU students, faculty, and staff located at RELLIS. The email will communicate information about accessing the RELLIS Emergency Operations Plan and emergency contacts.

### **The Daily Crime Log**

Each business day, the Associate Director of RELLIS (or other trained personnel) publishes a Daily Crime Log for RELLIS that is available to the media, the public, and campus offices free of charge. This summary identifies the nature of the crime, location, date and time of crime, date the crime was reported to TAMU PD, and disposition. A printed copy of this report may be viewed at the Academic Complex, Phase I Building, Room 106F located at 1425 Bryan Avenue, Bryan, TX 77807, or obtained by calling 979-317-3402. The copy is reprinted on working business days as updates occur. The RELLIS crime log is published online at: <https://rellis.tamus.edu/clery/>.

### **Security of and Access to Campus Facilities**

The Dean, Director, or Department Head is responsible for determining access to facilities under their control. The TAMU PD's Community Services Division, upon request, will prepare a security survey of the facility to determine security coverage and appropriate access control.

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

The governing board of a state institution of higher education or its authorized representatives may refuse to allow persons having no legitimate business to enter on property under the board's control, and may remove any person from the property on his or her refusal to leave peaceably on request. Identification may be required of any person on the property (*Texas Education Code Section 51.209*).

#### *Residence Halls*

RELLIS has no residence halls.

#### *Parking Areas*

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

#### *Academic and Administrative Buildings*

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

#### *Maintenance of Campus Facilities*

Contracted facilities personnel are responsible for maintaining the buildings, grounds, and custodial services at RELLIS. The group addresses maintenance, renovation, and repair projects for facilities, custodial and landscaping. After-hours or emergency repairs should be directed to maintenance personnel through the 24-hour Communications Center at 979-845-4311.

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

## **Alcohol, Illegal Drugs, and Weapons Policies**

### *Education and Prevention Programs*

In accordance with the Drug-Free Schools and Communities Act, TAMIU reviews its programs, services, and policies to prevent unlawful possession, use, or distribution of alcohol and illicit drugs. The results of the biennial review are published at <https://www.tamtu.edu/scce/aod.shtml>.

### *Alcohol*

The following alcohol policy applies at the RELLIS campus.

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

RELLIS prohibits drinking, possessing, manufacturing or being under the influence of any alcohol beverage in public areas of campus, possession and/or consumption by a minor and other violations of the campus, local, state, or federal rules pertaining to alcohol. Additionally, TAMUS strictly prohibits the unlawful manufacture, distribution (including sales), possession, or use of alcohol on TAMUS property, and/or while on official duty and/or as part of any TAMUS activities ([System Policy 34.02, Drug and Alcohol Abuse](#)). The purchase, service (including sales), possession, and consumption of alcoholic beverages on property under the control of the TAMUS shall in all respects comply with state law. In accordance with TAMUS Policy, possession or consumption of alcoholic beverages on property under control of TAMUS will not be permitted except in special use buildings and facilities that may be designated by the chief executive officer of the Member, approved by the Chancellor, and subsequently reported to the Board on an annual basis ([System Policy 34.03, Alcoholic Beverages](#)). All purchases of alcoholic beverages by any Member must comply with certain guidelines as established in [System Policy 34.03, Alcoholic Beverages](#) regarding the purchase's source of funds, purpose, and required documentation.

Consequences for policy violations could result in sanctions by the institution and/or criminal charges/arrest by TAMU PD for state law violations.

The Work/Life Solutions Program by GuidanceResources (1-888-993-7650) manages the alcohol and drug abuse and rehabilitation program for employees. The Work/Life Solutions Program by GuidanceResources also provides licensed counseling and referral services.

### *Illegal Drugs*

The following illegal drug policy applies at the RELLIS campus.

Federal law prohibits the unlawful possession, use, sale, or distribution of drugs. Texas state law prohibits the possession, use, sale, manufacture, or delivery of a controlled substance without legal authorization. A controlled substance includes any drug, substance or immediate precursor covered under the Texas Controlled Substances Act, including but not limited to opiates, barbiturates, amphetamines, marijuana, and hallucinogens. The possession of drug paraphernalia is also prohibited under Texas state law. Drug paraphernalia includes all equipment, products and material of any kind that are used to facilitate, or intended or designed to facilitate, violations of the Texas Controlled Substances Act. According to [System Policy 34.02, Drugs and Alcohol Abuse](#), all students and employees are expected to abide by federal and state laws pertaining to controlled substances and illicit drugs. RELLIS prohibits the manufacturing, possessing, have under control, selling, transmitting, using, being under the influence or being a party to illegal drugs, drug paraphernalia and/or controlled substances on campus remises or at campus sponsored activities. Alleged violations of these laws may result in criminal charges and may also be adjudicated through institutional conduct procedures. TAMU PD 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 disciplinary proceedings for referrals involving drug law violations.

The Work/Life Solutions Program by GuidanceResources (1-888-993-7650) manages the alcohol and drug abuse and rehabilitation program for employees. The Work/Life Solutions Program by GuidanceResources also provides licensed counseling and referral services.

## *Weapons*

The following weapons policy applies at the RELLIS campus.

In accordance with [Texas Penal Code Ch. 46.03](#), it is a felony to intentionally, knowingly, or recklessly possess a firearm, location restricted knife, or prohibited weapon on the physical premises of a school or educational institution, to include any grounds or buildings on which an activity sponsored by the school or educational institution is being conducted, or passenger transportation vehicles under the direct control of the educational institution. The only exception is an individual who has a license to carry holder under Chapter 411, Texas Government Code, may carry a concealed handgun on or about the license holder's person while the license holder is on the premises of the TAMUS offices (where the TAMUS offices has operational responsibility) or in a TAMUS vehicle, unless prohibited by state law or federal law. RELLIS prohibits the illegal or unauthorized possession or use of firearms, bullets, fireworks, explosives, knives, other weapons or dangerous chemicals on campus premises, or any items that could be used as weapons or resembling weapons on the campus as specified by federal, state, local law and/or RELLIS rules/procedures (refer to Weapons Policy). Concealed carry is prohibited in any premises where TAMUS offices, as directed or approved by the Chancellor as necessary for institutional safety, gives effective notice on a temporary basis pursuant to [Section 30.06, Texas Penal Code](#). The open carry of handguns on TAMUS offices' land or premises is prohibited ([TAMUS Rule 34.06.02.S1](#)).

## **Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, as amended by the Violence Against Women Reauthorization Act of 2013**

RELLIS prohibits all threats and acts of violence including cases of sexual assault, domestic violence, dating violence and stalking by any student, staff member, faculty member or other person. All students, employees and visitors are encouraged to report instances of sexual assault, domestic violence, dating violence and stalking so that RELLIS may investigate and address complaints in a prompt, fair, and impartial manner. Additionally, all TAMU employees are required to report any conduct of sexual assault, domestic violence, dating violence or stalking. We issue this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, stalking, and sexual assault as well as the procedures for institutional disciplinary action in such cases regardless of whether the incident occurred on or off campus when it is reported to a University official.

For the purpose of clarity, the Clery Act discloses the definitions outlined below, which were amended by the Violence Against Women Reauthorization Act (VAWA) in 2013. RELLIS follows the codes and statues of the State of Texas and ascribes to the following terms and definitions. The Texas Family and Penal Codes are linked below for your reference. Additionally, the Clery Act and VAWA terms are defined below.

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

- ***Rape:*** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- ***Fondling:*** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- ***Incest:*** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- ***Statutory Rape:*** Sexual intercourse with a person who is under the statutory age of consent.

## *Consent:*

### *TAMUS Regulation*

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

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

#### Texas Penal Code

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

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

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

(a) A person commits an offense if:

(1) the person intentionally or knowingly:

(A) causes the penetration of the anus or sexual organ of another person by any means, without that person's consent;

(B) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or

(C) causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or

(2) regardless of whether the person knows the age of the child at the time of the offense, the person intentionally or knowingly:

(A) causes the penetration of the anus or sexual organ of a child by any means;

(B) causes the penetration of the mouth of a child by the sexual organ of the actor;

(C) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor;

(D) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or

(E) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor.

(b) A sexual assault under Subsection (a)(1) is without the consent of the other person if:

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

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

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

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

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

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

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

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

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

- (10) the actor is a clergyman who causes the other person to submit or participate by exploiting the other person's emotional dependency on the clergyman in the clergyman's professional character as spiritual adviser; or
- (11) the actor is an employee of a facility where the other person is a resident, unless the employee and resident are formally or informally married to each other under Chapter 2, Family Code.

(c) In this section:

- (1) "Child" means a person younger than 17 years of age.
- (2) "Spouse" means a person who is legally married to another.
- (3) "Health care services provider" means:
  - (A) a physician licensed under Subtitle B, Title 3, Occupations Code;
  - (B) a chiropractor licensed under Chapter 201, Occupations Code;
  - (C) a physical therapist licensed under Chapter 453, Occupations Code;
  - (D) a physician assistant licensed under Chapter 204, Occupations Code; or
  - (E) a registered nurse, a vocational nurse, or an advanced practice nurse licensed under Chapter 301, Occupations Code.
- (4) "Mental health services provider" means an individual, licensed or unlicensed, who performs or purports to perform mental health services, including a:
  - (A) licensed social worker as defined by Section 505.002, Occupations Code;
  - (B) chemical dependency counselor as defined by Section 504.001, Occupations Code;
  - (C) licensed professional counselor as defined by Section 503.002, Occupations Code;
  - (D) licensed marriage and family therapist as defined by Section 502.002, Occupations Code;
  - (E) member of the clergy;
  - (F) psychologist offering psychological services as defined by Section 501.003, Occupations Code; or
  - (G) special officer for mental health assignment certified under Section 1701.404, Occupations Code.
- (5) "Employee of a facility" means a person who is an employee of a facility defined by Section 250.001, Health and Safety Code, or any other person who provides services for a facility for compensation, including a contract laborer.

(d) It is a defense to prosecution under Subsection (a)(2) that the conduct consisted of medical care for the child and did not include any contact between the anus or sexual organ of the child and the mouth, anus, or sexual organ of the actor or a third party.

(e) It is an affirmative defense to prosecution under Subsection (a)(2):

- (1) that the actor was the spouse of the child at the time of the offense; or
- (2) that:
  - (A) the actor was not more than three years older than the victim and at the time of the offense:
    - (i) was not required under Chapter 62, Code of Criminal Procedure, to register for life as a sex offender; or
    - (ii) was not a person who under Chapter 62, Code of Criminal Procedure, had a reportable conviction or adjudication for an offense under this section; and
  - (B) the victim:
    - (i) was a child of 14 years of age or older; and
    - (ii) was not a person whom the actor was prohibited from marrying or purporting to marry or with whom the actor was prohibited from living under the appearance of being married under Section 25.01.

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

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



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

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

(1) is committed against a victim:

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

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

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

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

(1) the length of the relationship;

(2) the nature of the relationship; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) would cause a reasonable person to:

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

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

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

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

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

(1) the laws of another state;

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

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

(4) federal law.

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

(d) In this section:

(1) "Dating relationship," "family," "household," and "member of a household" have the meanings assigned by Chapter 71, Family Code.

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

#### Sec. 42.07. Harassment

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

(1) initiates communication and in the course of the communication makes a comment, request, suggestion, or proposal that is obscene;

(2) threatens, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property;

(3) conveys, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury;

(4) causes the telephone of another to ring repeatedly or makes repeated telephone communications anonymously or in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;

(5) makes a telephone call and intentionally fails to hang up or disengage the connection;

(6) knowingly permits a telephone under the person's control to be used by another to commit an offense under this section; or

(7) sends repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another.

(b) In this section:

(1) "Electronic communication" means a transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic, or photo-optical system. The term includes:

(A) a communication initiated by electronic mail, instant message, network call, or other type of telephone, a computer, a camera, text message, a social media platform or application, an Internet website, any other Internet-based communication tool, or facsimile machine; and

(B) a communication made to a pager.

(2) "Family" and "household" have the meaning assigned by Chapter 71, Family Code.

(3) "Obscene" means containing a patently offensive description of or a solicitation to commit an ultimate sex act, including sexual intercourse, masturbation, cunnilingus, fellatio, or anilingus, or a description of an excretory function.

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

## **Sexual Assault, Domestic Violence, Dating Violence, Stalking and Related Retaliation**

RELLIS is committed to creating and maintaining an educational environment free from all forms of sex discrimination, including sexual misconduct/sexual harassment and/or related retaliation. RELLIS's sexual misconduct/sexual harassment definition includes the following offenses: non-consensual sexual contact, sexual assault, sexual exploitation, stalking, dating violence, domestic violence, and any other related retaliation. Any action involving sexual harassment, violence, coercion, and intimidation will not be tolerated.

It is the policy of RELLIS that, upon learning that an act of sexual misconduct has taken place, immediate action will be taken to address the situation and hold the respondent accountable. This may include working with state and local law enforcement to bring possible criminal charges and seeking disciplinary action through RELLIS. The complainant may proceed with a criminal investigation and a Title IX complaint simultaneously. RELLIS encourages the reporting of sexual misconduct that is prompt and accurate. This allows the RELLIS community to quickly respond to allegations and offer immediate support to the complainant.

In accordance with federal law and [System Regulation 08.01.01 Civil Rights Compliance](#), TAMU prohibits discrimination and harassment on the basis of sex<sup>1</sup> including sexual assault, dating violence, domestic violence, stalking, (as those terms are defined for the purposes of the Clery Act) and/or related retaliation. The following are statements of policy that address sexual assault, dating violence, domestic violence, and stalking as prohibited conduct. The policies apply whether the prohibited conduct occurs on or off campus and when it is reported to RELLIS. All policies described in this section apply to TAMU students, faculty, and staff located at the RELLIS campus. Procedures for students and personnel located at the RELLIS campus who are not enrolled at or employed by TAMU may be governed by the policies of their applicable institution or agency.

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

Authority for administering the disciplinary system is delegated by the participating System members to the RELLIS Academic Alliance Provost (hereinafter referred to as Provost). Under the supervision of Provost, the RELLIS Academic Alliance Assistant Provost (hereinafter referred to as Assistant Provost) is, in coordination with each participating member, responsible for the administration of all RELLIS student conduct matters. Students are expected to comply with all state, federal, and local laws. Student conduct procedures may be instituted against those charged with conduct that potentially violates either Texas criminal law or this code, without regard to the pendency of civil or criminal litigation or criminal arrest and prosecution. This principle applies to on-campus conduct, as well as conduct off campus which is likely to have an adverse effect on RELLIS or the educational process. Sexual misconduct investigations will be conducted in accordance with TAMU Regulation 08.01.01 and System Rule 08.01.01.S2. Substantiated complaints constitute one or more violations of this code. The procedures outlined in the RELLIS Student Code of Conduct, consistent with the code of each participating Member, are intended to inform the involved parties of university procedures and aid the Provost, Assistant Provost, and any hearing officer, investigating authority, or hearing body in ascertaining the facts and adjudicating a conduct matter. As circumstances can vary greatly from case to case, the presiding hearing officer or chair may modify procedures as well as rule on procedural matters in order to reach a just decision.

For a complete copy of the RELLIS Student Code of Conduct, <https://rellis.tamus.edu/wp-content/uploads/sites/41/2019/09/RELLIS-Student-Code-of-Conduct-2019-20-for-web.pdf>.

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<sup>1</sup> Sexual harassment is a form of sex discrimination. Unwelcome sexual advances, requests for sexual favors and other verbal, nonverbal or physical conduct of a sexual nature constitute sexual harassment when this conduct is so severe, persistent or pervasive that it explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work or educational performance, or creates an intimidating or hostile work, educational, or campus living environment. Unwelcome means that an individual did not request or invite it and considers the conduct to be undesirable or offensive. Submission to the conduct or failure to complain does not always mean that the conduct was welcome. Sexual harassment may be quid pro quo ("this for that") or may constitute a hostile environment. Sexual harassment includes non-consensual sexual contact, sexual assault, sexual exploitation, stalking, dating violence, and domestic violence when based on sex.

For a complete copy of the TAMUS's policy governing sexual misconduct visit [TAMUS policy/regulation](#) for Civil Rights Compliance 08.01.01.

In processing reports of sexual misconduct/sexual harassment and/or related retaliation involving students, RELLIS follows The TAMUS Policy 08.01, *Civil Rights Protections and Compliance* and corresponding Regulation 08.01.01, *Civil Rights Compliance*. You may also refer to the RELLIS website for more information:

1. A complaint or appeal alleging illegal discrimination, sexual harassment and/or related retaliation in connection with discipline and/or dismissal should be filed as soon as reasonably possible. A complaint may be deemed untimely and dismissed.
2. Sexual harassment, sexual assaults, non-consensual sexual contact, domestic violence, dating violence, sexual exploitation and stalking may be reported to any university official. All such reports will be directed to the Title IX Coordinator. The Title IX Coordinator will work closely with other offices as appropriate. As a matter of TAMUS policy, all faculty and staff must report a known allegation to the Title IX Coordinator.
3. Individuals reporting issues of sexual misconduct/sexual harassment may meet with the Title IX Coordinator or designees and/or law enforcement (if a criminal report is being made, which is not required, but encouraged).
4. The reporting party will be provided information about available resources including counseling, physical and mental health assistance, victim advocacy, and other services available. A student who has been the victim of sexual misconduct may request an academic accommodation after a report of sexual misconduct.
5. The reporter may withhold identifying information; however, withholding information about the alleged misconduct may limit RELLIS's ability to respond to a complaint.
6. RELLIS, at its discretion, may proceed with the investigation/disciplinary process without a formal complaint if RELLIS has sufficient information that sexual misconduct/sexual harassment may have occurred or determines an investigation is warranted considering the circumstances.
7. Retaliation, including retaliatory harassment, by any person is a violation of TAMUS policy and regulation, is expressly prohibited by RELLIS, and is subject to additional conduct discipline.

Individuals reporting sexual assault, dating violence, domestic violence, or stalking have the option of notifying on-campus and local law enforcement authorities. Local law enforcement agencies contact information is listed below. Reports should be filed with the agency where the incident occurred.

Name	Phone	Address	Website
Texas A&M University Police	979-845-2345 (same for UPD officer located at RELLIS)	1111 Research Parkway College Station, TX	<a href="https://upd.tamu.edu">https://upd.tamu.edu</a>
Bryan Police Department	979-361-3888	303 East 29 <sup>th</sup> Street Bryan, TX	<a href="http://www.bryantx.gov/police">www.bryantx.gov/police</a>
College Station Police Department	979-764-3600	2611 Texas Avenue South College Station, TX	<a href="http://www.cstx.gov/police">www.cstx.gov/police</a>
Blinn College Police Department	979-209-7600 (same for Blinn officer located at RELLIS)	2423 Blinn Blvd., Building S, Room 106 Bryan, TX	<a href="http://www.blinn.edu/police/">http://www.blinn.edu/police/</a>
Brazos County Sheriff's Department	979-361-4980	1700 Highway 21 West Bryan, TX	<a href="http://brazoscountysheriff.org">http://brazoscountysheriff.org</a>

#### *Student Amnesty*

RELLIS recognizes that students who have been drinking and/or using drugs at the time of an act of sexual harassment and/or sexual misconduct occurs, may be hesitant to report such incidents due to fear of potential consequences of their own conduct. RELLIS strongly encourages students to report incidents of sexual violence, harassment, sexual assault, dating violence, or stalking to campus officials. A bystander reporting in good faith or a complainant reporting sexual violence, harassment, sexual assault, dating violence, or stalking to RELLIS officials or law enforcement will not be subject to disciplinary action for violations of RELLIS code of conduct policies, including alcohol and/or drug use violations, occurring at or near the time of the sexual harassment/sexual misconduct.

### **Receipt of a Domestic Violence, Dating Violence, Sexual Assault or Stalking Report**

It is the policy of RELLIS that, upon learning that an act of sexual misconduct has taken place, immediate action will be taken to address the situation and hold the respondent accountable. This may include working with state and local law enforcement to bring possible criminal charges and seeking disciplinary action through RELLIS. The complainant may proceed with a criminal investigation and a Title IX complaint simultaneously. RELLIS encourages the reporting of sexual misconduct that is prompt and accurate. This allows the RELLIS community to quickly respond to allegations and offer immediate support to the complainant.

The RELLIS Title IX Coordinator, a Deputy Coordinator, or designee will conduct an initial review of information in a sexual misconduct report or complaint to determine if there is sufficient information to proceed with an investigation, or if additional information is needed.

- a. If the information is sufficient, the Title IX Coordinator, Deputy Coordinator, or designee will forward the complaint/report to an appointed investigative authority.
- b. If the information is insufficient, the Title IX Coordinator, Deputy Coordinator, or designee, in consultation with the System Ethics and Compliance Office, may conduct an inquiry into the circumstances of the complaint or report and:
  1. Dismiss the complaint or report as untimely filed, baseless, or not a violation of civil rights policy;
  2. Close the complaint or report for insufficient information to proceed with an investigation;
  3. Refer the complaint or report to the office(s), which handles complaints or appeals not related to civil rights.

#### *Procedures RELLIS will follow:*

- a. When a decision is made to refer the investigation to an investigative authority, the RELLIS Title IX Coordinator, a Deputy Coordinator, or designee, will appoint investigating authorities to review the complaint/report unless circumstances warrant otherwise.
- b. In all investigations and subsequent decisions, the standard used to determine the merits of the allegation(s) is the preponderance of the evidence standard, i.e., more likely than not.
- c. The investigative authority will review the complaint, respondent and witnesses (if applicable), review relevant documentation, consult with subject matter experts as appropriate, and review other available evidence or information. The past sexual history or character of an individual is not considered unless it is determined to be highly relevant. The investigative authority may also consult with appropriate management personnel, including but not limited to, the Title IX Coordinator, System Office of General Counsel, and/or the System Ethics and Compliance Office for advice and guidance, as applicable. The investigative authority will provide a draft report on the merits of the allegations to the Office of General Counsel (OGC) for legal sufficiency review.
- d. The investigative authority's investigation report may conclude that an allegation is substantiated, unsubstantiated, or that there is insufficient evidence to determine whether or not the allegation is substantiated. In some instances, after investigation, offensive conduct might not be sufficiently severe, persistent, or pervasive that it unreasonably interferes with an individual's work or educational performance or creates an intimidating or hostile work or educational environment. Nevertheless, the investigative authority may still determine that the offensive conduct constitutes a violation of University rules or the Student Code of Conduct and note that finding in its report.
- e. OGC will provide its legal review to the investigative authority. Prior to the investigative authority completing the report he/she will permit the complainant and respondent the opportunity to review and comment on the report. The investigative authority will finalize the report and submit it to the designated administrator for decision.
- f. The Title IX Office or designee, may approve extensions of time when circumstances warrant. All parties will be notified of any extensions.
- g. The complainant and respondent will be notified simultaneously of the conclusion of the investigation and the availability of the investigative report for review.
- h. The Assistant Provost or designee will serve as the designated administrator for cases in which the student is a respondent.

The designated administrator will review the completed report from the investigative authority and take action as follows:

- a. Upon receipt of the investigative report, the designated administrator will, determine if one or more of the allegations of sexual misconduct is substantiated, and notify all parties;
- b. The designated administrator may also impose sanctions conforming with A&M System sentencing guidelines;
- c. Circumstances may warrant an extension of time. Extensions may be granted by Title IX Coordinator in consultation with the A&M System Title IX Coordinator; and
- d. The notice will include information about appeal procedures and a determination if interim measures are continued, modified or discontinued pending resolution of the case.

*RELLIS Appeal Process:*

The designated administrator's decision, and any sanction imposed, are subject to appeal by any party to the case.

- a. Request to appeal must be made in writing and submitted to the office of the Assistant Provost after electronic notification of the designated administrator's decision. Students may complete the *Appeals Request Form* available in the Office of the Assistant Provost. Requests may be dismissed if untimely.
- b. The Assistant Provost, or a designee, will determine if an appeal is warranted.
- c. Requests to appeal must only be made on the basis of one or more of the following grounds:
  1. A procedural error occurred during the process that significantly impacted the outcome. The appeal must state in writing the procedural error and how it impacted the outcome; or
  2. New evidence, unknown or unavailable during the investigation, has come to light that could have significantly impacted the outcome. The appeal must state in writing the new information now available and why it was not available during the investigation; or
  3. The appropriateness or severity of the sanctions. The reason(s) supporting this must be stated in writing in the appeal.
- d. If an appeal is warranted, the Assistant Provost, or designated appeals administrator, will review the appeal, the designated administrator's decision and evidence on which it is based. The Assistant Provost or designee may:
  - a. render an appeals decision to uphold, modify, or return the case to the designated administrator for further action; or
  - b. refer the appeal for formal hearing.
- e. On appeal, the burden of proof rests with the appellant to show that an error has occurred during the adjudication process.
- f. All parties will be informed of the status of:
  - a. Requests for appeal;
  - b. The appeal, if warranted; and
  - c. The decision on appeal.

*Appeals Decided on the Record*

- a. Appeals decided by the Assistant Provost or designated appeals administrators are limited to consideration of the grounds granted for appeal. Review is confined to the written documentation or record of the hearing, and pertinent documentation regarding the grounds for appeal. The appeal administrator may, at his/her discretion, choose to meet with either party.
- b. The appeals administrator may uphold, modify, or return the case to the designated administrator for further action.
- c. The appeals administrator will issue a written decision to all parties. The decision will include the rationale forming the basis for the decision. The decision on appeal is final.
- d. Circumstances may warrant an extension of the time frame in this section. Both the respondent and the complainant will be notified simultaneously of any extensions or decisions made (changes to the result).

### *Appeals Referred for Formal Hearing*

The Assistant Provost or designee will coordinate the formal hearing and provide written notice to the parties prior to the hearing. The appeal may be heard by a single hearing officer or a hearing board of three (3) or more people; the format to be utilized will be at the discretion of the Assistant Provost.

- a. The formal hearing is limited to consideration of the grounds granted for appeal. As necessary or appropriate, this review may consider the designated administrator's decision, the investigative authority's written report, or provide an opportunity for the complainant or respondent to answer questions and offer rebuttal or support of the designated administrator's decision.
- b. The complainant and/or respondent are allowed to choose to participate or decline to participate in the appeal hearing with the understanding that the process will continue without their involvement and RELLIS will determine an outcome with the information available.
- c. Each party is provided with the same opportunities to have others present during any hearing and may have an advisor of their choice present at the hearing. The advisor is not limited to any one person; it can be an attorney, but the advisor cannot directly participate in the proceedings and must not be involved in the underlying case.
- d. The hearing will be held as scheduled even in the absence of the complainant or respondent, unless such absence is for good cause. Note: This hearing is not a criminal proceeding and related criminal charges may not provide good cause for an extension in time.
- e. Any evidence offered at the hearing must be material and relevant to the issue/s on appeal, as determined by the hearing officer or chair of the hearing board and may or may not be considered.
- f. Parties to the hearing may not directly question or cross-examine other parties or witnesses. Parties may present questions to the chair for consideration. Harassing questions will be omitted.
- g. After the review phase of the hearing concludes, the hearing officer or board will deliberate in closed session. The hearing officer or board may uphold, modify, or reverse the decision of the designated administrator consistent with the ground/s on appeal.
- h. Parties will be notified simultaneously, in writing, of the hearing outcome, which is final. If a complainant is deceased or otherwise incapacitated as a result of the crime or offense, the results of the disciplinary hearing will be provided to the victim's or complainant's next of kin, if so requested.

### *Office of the Assistant Provost Oversees Hearing Process*

The Assistant Provost or designee will act as a resource for administration, faculty, staff and students to promote consistency throughout the campus community in adjudicating sexual misconduct/sexual harassment and/or related retaliation cases. The Assistant Provost also has the responsibility for maintaining and providing to the home institution all student records related to students charged with a violation of sexual misconduct/sexual harassment.

### *Possible Disciplinary Sanctions for Students*

The following sanctions may be imposed upon any student or organization found to have violated the Student Code of Conduct.

1. The student or organization may be levied a sanction or combination of sanctions.
2. Record of the student's disciplinary status and the results of disciplinary proceedings are a part of the student's confidential records for a period past the last date of a student's enrollment.
3. As part of the notification of disciplinary action undertaken, the student will be notified in writing of the sanctions imposed, their duration, stipulations and deadlines for completion.
4. Pending final action on a disciplinary charge or appeal, the student's status should not be altered nor should his/her right to be present on the campus or his/her privilege to attend classes be suspended except for the following:
  - a. when RELLIS has imposed interim suspension action;
  - b. when a "disciplinary hold" is placed on the student's academic and/or financial records pending the outcome of disciplinary proceedings or to enforce a disciplinary sanction;
  - c. Interim measures taken during a Title IX investigation when it determines that they are necessary and appropriate to the safety of the community and to protect the integrity of the complaint/investigation process; or
  - d. to address conduct involving substantial disruption of a class or program, physical altercations, threats of violence, or acts of retaliation against a complaining party.
5. Once a student or organization has been finally assessed a disciplinary sanction and the appeals process is complete, no more severe major sanctions may be assessed against the student or organization by any higher University authority for the

infraction in question except in instances where the student or organization does not comply with the initial sanctions that have been imposed.

6. The sanctions identified below are not inclusive and may be levied in any combination:

a. *Warning*: A notice in writing to the student/organization that the student /organization is violating or has violated institutional regulations and that the continuation of such conduct or actions could result in further disciplinary action.

b. *Probation* a written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if found to violate any institutional regulations or failure to comply with the sanctions imposed by the hearing body.

c. *Loss of Privileges*: Denial of specified privileges for a designated period of time.

d. *Fines*: Previously established and published fines may be imposed.

e. *Restitution*: Compensation for loss, damage, misappropriation or injury. This may take the form of appropriate service and/or monetary or material replacement.

f. *Educational Sanctions*: A provision to complete work assignments, essays, specific educational requirement (i.e., counseling, attending an alcohol workshop, online educational workshop, etc.), service to RELLIS or designated community agency, or other related discretionary assignments.

g. *No Contact Order*: Directive to cease any and all contact with another party/parties. This includes contact initiated through any means: telephone, correspondence, personal visits, email, social media (i.e., Facebook, Twitter, etc.) as well as contact initiated by any third parties on your behalf or at your request. This also includes making electronic outreaches to or statements about the other parties through blogs or other social media, ‘tagging’ them in comments, or through online message boards or other internet sites. This restriction applies to both on and off campus. The directive to avoid contact until such time as this order is lifted.

h. *University Suspension*: Separation of the student from RELLIS for a definite period of time, after which the is eligible to return. Conditions for readmission may be specified. The student is not entitled to a refund of tuition and/or fees for the term in which the student is suspended.

i. *University Expulsion*: Permanent separation of the student from RELLIS. The student is not entitled to a refund of tuition and/or fees for the term in which the student is expelled.

j. *Revocation of Admission and/or Degree*: Admission to or a degree awarded from the TAMU student earned degree from may be revoked for academic misconduct, misrepresentation, or other violation of RELLIS or TAMU standards in obtaining the degree.

k. *Withholding Degree*: RELLIS or TAMU may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Code of Conduct, including the completion of all sanctions imposed, if any.

l. *Appropriate Grade Penalties* in cases of academic misconduct may include issuance of a grade of “F” in a course, grade reduction, removal from an academic program, or having additional work assigned. For serious academic misconduct cases such as, but not limited to, those involving repeated offenses, conspiracy with other students or the theft and/or sale of examination questions, suspension or expulsion from RELLIS is a common sanction.

RELLIS’s disciplinary process includes a prompt, fair, and impartial process from the preliminary investigation through the final resolution process. In all instances, the process will be conducted in a manner that is consistent with RELLIS’s policy and is transparent to the complainant and the respondent. The resolution of domestic violence, dating violence, sexual assault and stalking complaints may vary in length of 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. RELLIS 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 on how to conduct an investigation and hearing process that protects the safety of the complainant and promotes accountability. Additionally, cases of domestic violence, dating violence, stalking or sexual assault are conducted by officials who do not have a conflict of interest or bias for or against any party involved.

#### *Sanctions for Employees*

When an employee is found to have sexually harassed (as defined by [System Regulation, 08.01.01, Civil Rights Compliance](#)) another member of the community, the sanction will be termination of employment.



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

For additional information refer to [System Regulation, 08.01.01, Civil Rights Compliance](#); [TAMIU Rule 08.01.01.L1, Civil Rights Complaint and Appeal Process](#).

#### *Disciplinary Appeals for Employees*

Any employee disciplined pursuant to this procedure may appeal that action in accordance with System Policy 12.01, Academic Freedom, Responsibility and Tenure, System Policy 32.01, Employee Complaint and Appeal Procedures, System Regulation 32.01.01, Complaint and Appeal Process for Faculty Members, System Regulation 32.01.02, Complaint and Appeal Process for Non-Faculty Employees, and/or other procedures, as appropriate.

#### *Senate Bill No. 212 effective September 1, 2019 – Responsibility Reporting*

*Sec. 51.252* An employee of a postsecondary educational institution who witnesses or receives information regarding the occurrence of an incident of sexual harassment, sexual assault, dating violence, or stalking alleged to have been committed by or against a student or employee of the institution .... Shall promptly report the incident to the institution's Title IX director. The report must include all information concerning the incident known to the reporting person that is relevant to the investigation ... including whether an alleged victim has expressed a desire for confidentiality or anonymity in reporting the incident.

*Sec. 51.255* A postsecondary educational institution shall terminate the employment of an employee who is required to make a report and fails to promptly make the report without good cause, as determined by the institution. A person also commits a criminal offense when required to make a report and knowingly fails to make the report.... an offense is a Class B misdemeanor.

Please refer to TAMUS policy/regulation [08.01.01 Civil Rights Compliance](#) – revised August 17, 2018. Contact for interpretation: Title IX Director for A&M System or the TAMIU Title IX Coordinator referencing responsibilities, reporting, investigations, decisions, improper consensual relations, and retaliation.

#### **Guidelines or Suggestions to Follow After an Incident of Sexual Assault, Dating Violence, Domestic Violence or Stalking (as applicable to the specific incident)**

- Go to a safe place as soon as you can.
- Contact the Police Department at 911 (911 or 9-911 using an on-campus phone).
- Get medical attention as soon as possible to make sure you are physically well and to collect important evidence in the event you may later wish to take legal action. Baylor Scott & White Medical Center in College Station (979-207-0100, <https://www.bswhealth.com/specialties/forensic-medicine/>) is the community's designated forensic nursing facility offering a 24/7 program with trained Sexual Assault Nurse Examiners (SANE) and a forensic unit that provides detailed physical examinations, evidence collection, and expert testimony. St. Joseph Regional Hospital in Bryan (979-776-3777) also conducts forensic exams. Go to the hospital's emergency room and request to be seen by a SANE.
- Try to preserve all physical evidence. Do not wash, use the toilet, swim, brush teeth, or change clothing if you can avoid it. If you do change clothes, put all clothing you were wearing at the time of the attack in a paper, not plastic, bag.
- Preserve evidence by saving text messages, instant messages, social networking pages, communications, pictures, or other documents, if any, that would be useful to police or investigators.
- Personnel are available to help explain your options, give you information, and provide emotional support. Personnel include: TAMU PD Victim Services 979-458-9767, Work/Life Solutions Program by GuidanceResources 1-888-993-7650 (for employees only), and the Brazos County Sexual Assault Resource Center 979-731-1000.

### *Medical Treatment (as applicable to the specific incident)*

It is important to seek immediate and follow-up medical attention for several reasons: first, to assess and treat any physical injuries you may have sustained; second, to test for sexually transmitted infections or pregnancy and treat or take preventive measures; and third, to gather and preserve evidence that may assist in proving that the alleged criminal offense occurred or is occurring; or may be helpful in obtaining a protective order. Physical evidence should be collected immediately, ideally within the first 24 hours. It may be collected later than this, but the quality and quantity of the evidence may be diminished. If individuals do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infection.

### *Confidentiality*

RELLIS is committed to protecting the privacy of individuals and will work closely with students who wish to obtain confidential assistance regarding an incident of sexual misconduct.

- a. RELLIS cannot guarantee complete confidentiality, but it will do everything possible to maintain privacy, and will only share information as needed to address the issue.
- b. Licensed professional counselors are the only individuals who can provide confidentiality to a complainant.
- c. An individual's request to withhold his or her name, the name of the alleged violator, or a request not investigate or seek action against the alleged violator will be considered in the context of RELLIS's duty to provide a safe and nondiscriminatory work and educational environment. This may require that the institution take actions when the reporter requests no action, if violence is involved, if the threat of violence exists, or when required by law, as in the case of elderly or child abuse.
- d. A request to withhold information or not to investigate the alleged misconduct may limit RELLIS's ability to respond to a complaint.
- e. Additionally, RELLIS will maintain all related records in accordance with the requirements of FERPA (the Family Educational Rights and Privacy Act of 1974) and will be accomplished without the inclusion of identifying information about the complainant, to the extent permissible by law.
- f. The complainant may revoke a request not to investigate or seek action against the alleged violator at any time prior to 90 calendar days after the last incident and proceed with a formal complaint against the alleged violator.

### **Resources, Rights, and Options for Victims, Respondents and/or Witnesses**

Following an allegation of sexual assault, dating violence, domestic violence, stalking, and/or related retaliation the individual reporting, the alleged offender, and other affected individuals have certain resources, rights, and options available to them. Parties with an inquiry or complaint are informed of resources, rights, and options in writing when official contacts receive notification of an incident whether it occurred on or off campus and regardless of whether the individual elects to pursue a criminal complaint or disciplinary measures. Resources and services may include counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, assistance in notifying appropriate local law enforcement, and other services available to victims. Additionally, a list of existing resources within the larger community may be provided to victims, which may include counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, assistance in notifying appropriate local law enforcement, and other services available to victims.

### *Rights of Both Parties*

Both the reporting party and the respondent are entitled to a fair and equitable procedure in all facets of the complaint and investigation process and will be:

- a. Provided an opportunity to meet individually with the RELLIS Title IX Coordinator, Deputy Coordinator, or designee;
- b. Informed of all pending charges;
- c. Provided access to support services from RELLIS at their request;
- d. Provided interim measures, if applicable;
- e. Informed of the investigation and adjudication procedures;
- f. Allowed to choose to participate or decline to participate in the process with the understanding that the process will continue without their involvement and that RELLIS will determine an outcome with the information available;

- g. Allowed to discuss any conflicts of interest (real or perceived) arising from prior interactions by those handling the Title IX grievance procedures;
- h. Provided with the same opportunities to have others present during any hearing and may have an advisor of their choice present at the hearing. The advisor is not limited to any one person; it can be an attorney, but the advisor cannot directly participate in the proceedings and must not be involved in the underlying case;
- i. Given the opportunity to present witnesses and submit other evidence on their behalf to the investigators; and
- j. Notified in writing of the results /outcome of the complaint and subsequent action.

The following are on campus and off campus resources available to complainants, alleged offenders, and third parties:

<b>Name</b>	<b>Type of Service Available</b>	<b>Phone</b>	<b>Address</b>	<b>Website</b>
Texas A&M University Police	Law Enforcement	979-845-2345 (same for UPD officer located at RELIS)	1111 Research Parkway College Station, TX	<a href="https://upd.tamu.edu">https://upd.tamu.edu</a>
Texas A&M International University Police Department	Law Enforcement	956-326-2911 (emergency) 956-326-2100 (non-emergency)	5201 University Boulevard, Laredo, TX 78041	<a href="https://www.tamiu.edu/adminis/policy/">https://www.tamiu.edu/adminis/policy/</a>
TAMIU Office of Student Counseling & Disability Services	Counseling and Mental Health	956-326-2230	5201 University Boulevard, Laredo, TX 78041	<a href="https://www.tamiu.edu/counseling/">https://www.tamiu.edu/counseling/</a>
TAMIU Student Health Services	Medical and Health Services	956-326-2235	5201 University Boulevard, Laredo, TX 78041	<a href="https://www.tamiu.edu/health/index.shtml">https://www.tamiu.edu/health/index.shtml</a>
TAMIU Office of Compliance – Title IX	Support, Advocacy, Legal Assistance, and Other	956-326-2857	5201 University Boulevard, Laredo, TX 78041	<a href="https://www.tamiu.edu/compliance/Title%20IX.shtml">https://www.tamiu.edu/compliance/Title%20IX.shtml</a>
TAMIU Office of Financial Aid	Student Financial Aid	956-326-2225	5201 University Boulevard, Laredo, TX 78041	<a href="https://www.tamiu.edu/financialaid/contact.shtml">https://www.tamiu.edu/financialaid/contact.shtml</a>
Bryan Police Department	Law Enforcement	979-361-3888	303 East 29 <sup>th</sup> Street Bryan, TX	<a href="http://www.bryantx.gov/police">www.bryantx.gov/police</a>
College Station Police Department	Law Enforcement	979-764-3600	2611 Texas Avenue South College Station, TX	<a href="http://www.cstx.gov/police">www.cstx.gov/police</a>
Blinn College Police Department	Law Enforcement	979-209-7600 (same for Blinn officer located at RELIS)	2423 Blinn Blvd., Building S, Room 106, Bryan, TX	<a href="http://www.blinn.edu/police/">http://www.blinn.edu/police/</a>

Brazos County Sheriff's Department	Law Enforcement	979-361-4980	1700 Highway 21 West Bryan, TX	<a href="http://brazoscountysheriff.org">http://brazoscountysheriff.org</a>
Student Counseling Service (SCS)	Counseling and Mental Health	979-845-4427 or 979-845-2700	See website	<a href="http://scs.tamu.edu">http://scs.tamu.edu</a>
Blinn College Counseling Services	Counseling and Mental Health	979-209-8947	Schwartz Building, Suite 230	<a href="mailto:rellis.ods@blinn.edu">rellis.ods@blinn.edu</a>
TAMU Psychology Clinic	Counseling and Mental Health	979-845-8017	Suite 101 Milner Hall 425 Ross Street College Station, TX	<a href="https://liberalarts.tamu.edu/psychology/about/psychology-clinic/">https://liberalarts.tamu.edu/psychology/about/psychology-clinic/</a>
MHMR Crisis Helpline	Counseling and Mental Health	1-888-522-8262	n/a	n/a
Work/Life Solutions Program by GuidanceResources	Counseling and Mental Health	888-993-7650	n/a	<a href="https://employees.tamu.edu/ea/p/">https://employees.tamu.edu/ea/p/</a>
Student Health Services	Medical and Health Services	979-458-8250	A.P. Beutel Health Center Texas A&M Campus	<a href="http://shs.tamu.edu">http://shs.tamu.edu</a>
Baylor Scott & White Medical Center	Medical and Health Services	979-207-0100	700 Scott & White Drive College Station, TX	<a href="http://sw.org/location/college-station-hospital">http://sw.org/location/college-station-hospital</a>
College Station Medical Center	Medical and Health Services	979-764-5100	1604 Rock Prairie Road College Station, TX	<a href="http://csmedcenter.com">http://csmedcenter.com</a>
St. Joseph Hospital	Medical and Health Services	979-776-3777	2801 Franciscan Drive	<a href="http://www.chistjoseph.org/">http://www.chistjoseph.org/</a>
SCS Helpline	Support, Advocacy, Legal Assistance, and Other Resources	979-845-2700	n/a	<a href="http://scs.tamu.edu/?q=helpline">http://scs.tamu.edu/?q=helpline</a>
Student Assistance Services	Support, Advocacy, Legal Assistance, and Other	979-845-3113	See website	<a href="https://studentlife.tamu.edu/sas/">https://studentlife.tamu.edu/sas/</a>
Women's Resource Center	Support, Advocacy, Legal Assistance, and Other	979-845-8784	See website	<a href="https://studentlife.tamu.edu/wrc/">https://studentlife.tamu.edu/wrc/</a>
GLBT Resource Center	Support, Advocacy, Legal Assistance, and Other	979-862-8920	See website	<a href="http://studentlife.tamu.edu/glbt">http://studentlife.tamu.edu/glbt</a>

Student Conduct Office	Support, Advocacy, Legal Assistance, and Other	979-847-7272	See website	<a href="http://studentlife.tamu.edu/sc_o">http://studentlife.tamu.edu/sc_o</a>
Student Legal Services	Support, Advocacy, Legal Assistance, and Other	979-862-4502	See website	<a href="http://studentlife.tamu.edu/sls">http://studentlife.tamu.edu/sls</a>
TAMU PD Victim Services	Support, Advocacy, Legal Assistance, and Other Resources	979-458-9767	1111 Research Parkway College Station, TX	<a href="https://upd.tamu.edu/Pages/VictimsAdvocate.aspx">https://upd.tamu.edu/Pages/VictimsAdvocate.aspx</a>
Bryan Police Department Victim's Assistance	Support, Advocacy, Legal Assistance, and Other	979-209-5312	303 East 29 <sup>th</sup> Street Bryan, TX	<a href="http://www.bryantx.gov/police/investigative-services-bureau/">http://www.bryantx.gov/police/investigative-services-bureau/</a>
College Station Police Victim Advocacy &	Support, Advocacy, Legal Assistance, and Other	979-764-5004	2611 Texas Avenue South College Station, TX	<a href="http://www.cstx.gov/index.aspx?page=3927">http://www.cstx.gov/index.aspx?page=3927</a>
Brazos County Victim Assistance Division	Support, Advocacy, Legal Assistance, and Other Resources	979-361-4320	300 East 26 <sup>th</sup> Street Suite 310 Bryan, TX	<a href="http://www.brazoscountytexas.gov/index.aspx?NID=227">http://www.brazoscountytexas.gov/index.aspx?NID=227</a>
Brazos County Family Violence Unit	Support, Advocacy, Legal Assistance, and Other Resources	979-361-4657	300 East 26 <sup>th</sup> Street 1 <sup>st</sup> floor Bryan, TX	<a href="http://brazoscountytexas.gov/index.aspx?NID=112">http://brazoscountytexas.gov/index.aspx?NID=112</a>
International Student Services	Visa and Immigration Assistance	979-845-1824	1 <sup>st</sup> Floor of The Pavilion, Room 110 Texas A&M Campus	<a href="http://iss.tamu.edu">http://iss.tamu.edu</a>
U.S. Citizenship and Immigration Services, Texas – San Antonio Field Office	Visa and Immigration Assistance	800-375-5283	20760 North US Highway 281, Suite A San Antonio, TX	<a href="http://www.uscis.gov/about-us/find-uscis-office/field-offices/texas-san-antonio-field-office">http://www.uscis.gov/about-us/find-uscis-office/field-offices/texas-san-antonio-field-office</a>
Scholarships & Financial Aid	Student Financial Aid	979-845-3236	2 <sup>nd</sup> Floor of The Pavilion Texas A&M Campus	<a href="https://financialaid.tamu.edu/">https://financialaid.tamu.edu/</a>
Veteran Services	Student Financial Aid	979-845-8075	2 <sup>nd</sup> Floor of The Pavilion Texas A&M Campus	<a href="http://veterans.tamu.edu">http://veterans.tamu.edu</a>
Federal Student Aid Information	Student Financial Aid	800-433-3243	n/a	<a href="https://studentaid.ed.gov/">https://studentaid.ed.gov/</a>

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

<http://www.rainn.org> – Rape, Abuse & Incest National Hotline 1-800-656-HOPE (4673)

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

<http://taasa.org/resources-2/tx-safety-u-app/> A free mobile app for phones and tablets that easily connects you with local help and assistance when faced with sexual assault, dating violence, domestic violence or stalking. Select a Texas university and the app will pre-populate contact info and statistics for the campus you select.

#### *Interim Protective Measures*

a. When reasonable and appropriate, RELIS will provide interim measures to involved parties upon request. Interim measures should be made promptly, and at no cost to the reporting party or respondent. Interim measures include a change in academic schedules or work schedules, withdrawal from, or retaking, a class without penalty, and academic support such as tutoring services. Additional interim measures that may be taken pending the outcome of a sexual misconduct proceeding, and include contact restrictions, interim suspension, or other restrictions. Any interim protective measures or accommodations provided will be maintained as confidential to the extent that maintaining such confidentiality would not impair the ability of RELIS to provide such accommodations or protective measures.

b. Interim measures or remedies will be considered in all sexual harassment and sexual misconduct complaints.

1. The individual subjected to the alleged illegal discrimination, sexual harassment and/or related retaliation, the respondent, and other affected individuals may be offered and/or expected to comply with appropriate interim protections or remedies, such as physical separation, contact limitations, alternative work or other arrangements, academic adjustments and counseling services. Failure to comply with the terms of interim protections may be considered a separate violation of system policies and regulations and member rules and procedures.

2. At any point in the complaint or appeal process, the respondent may be placed on administrative leave, suspended, reassigned, or placed in another type of temporary status pending completion of the investigation and final resolution of the complaint or appeal without presumption of responsibility for the alleged misconduct. Failure to comply with the terms of the interim actions may be considered a separate violation of university rules and procedures and this code.

#### *Legal Rights and Options*

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

Protective Orders: Individuals may apply for protective orders through the Texas criminal justice system. A protective order is an interim protective measure that requires the recipient to stay away from the protected individual's home, workplace, and/or children's schools (if the children are protected persons in the order) depending on the documented circumstances. It can require the recipient to stop communicating with the protected individual in a harassing or threatening manner, attend counseling, pay child support, and/or pay spousal support. An application for a protective order may be filed by an individual, a prosecuting attorney, or the Texas Department of Family and Protective Services (1-800-252-5400) on behalf of an individual. The application is obtained through the county attorney (Brazos County Attorney's Office – Family Violence Unit, Family Violence and Mental Health Coordinator, 979-361-4657), the district attorney (Brazos County District Attorney's Office - Family Violence Division, 979-361-4320), or a private attorney. TAMU PD (979-845-2345) will also provide assistance in applying for protective orders. Forms associated with applying for a protective order are found on the following webpages: <http://brazoscountytexas.gov/index.aspx?NID=112> and <https://guides.sll.texas.gov/legal-forms/protective-orders>.

The application for a protective order must be filed in either the county where the applicant lives or the county where the recipient lives. The applicant's address can be kept confidential. If the legal criteria for a protective order is met, the county or district attorney's office will prepare and file all of the paperwork necessary to request a protective order from a court. Such orders provide effective tools for law enforcement when they are called upon to protect an individual and their family. Additionally, an emergency protective order may be recommended and automatically issued by the court following the original report and arrest of the alleged offender. A hearing is held at a later date to determine if the order should be extended or modified.

TAMU PD officers are notified of protective orders that exist in the campus and surrounding area. Local law enforcement agencies are also notified of all existing protective orders in their area. If the requestor or other institutional personnel become aware that a protective order is violated, TAMU PD should be contacted immediately at 979-845-2345. Responding agencies can also be contacted for protective order violations including Bryan Police (979-361-3888), College Station Police (979-764-3600), or the Brazos County Sheriff's Department (979-361-4980). Violating protective orders generally carry authority for the violator's immediate arrest by TAMU PD or other law enforcement agencies.

Below is a chart displaying the available types of Protective Order's, their requirements, who can file that protective order and the length of time of the order.

Type	Who can File	Length	Requirements
<b>Magistrate's Order for Emergency Protection</b>	A victim of family violence, sexual assault or stalking	31-61 days; with deadly weapon 61-91 days	Offender must be arrested
<b>Temporary Ex Parte</b>	A minor or adult victim of family/dating violence, sexual assault or stalking	Until the hearing for final protective order usually 20 days	Finding of clear and present danger of family violence, sexual assault or stalking
<b>Family Violence Protective Order</b>	A minor or adult victim of family /dating violence	Two or more years	Finding that family/dating violence has occurred and is likely to occur in the future
<b>Sexual Assault Protective Order</b>	A minor or adult victim of sexual assault	Any duration or two years if not specified	Reasonable grounds to believe the applicant is a victim of sexual assault
<b>Stalking Protective Order</b> Code of Criminal Procedure Ch. 7A	An adult or minor victim of stalking, or prosecutor acting on behalf of victim	Any duration or two years if not specified	Reasonable grounds to believe applicant is a victim of stalking
<b>Stalking Protective Order</b> Code of Criminal Procedure Art. 6.09	An adult or minor victim of stalking whose offender has been criminally charged with stalking	Two or more years	Probable cause to believe that stalking occurred and the defendant is likely to stalk in the future

**Criminal Trespass Warning:** A criminal trespass warning is an interim protective measure issued by TAMU PD which is directed at those who are considered a danger to the campus community or a danger to a certain individual in the campus community. The warning advises the alleged offender to leave the premises and forbids him/her from entering and/or remaining on certain property which can cover either the entire campus or a specific campus location. To request a criminal trespass warning, contact TAMU PD at 979-845-2345 and request to speak with an officer. The TAMU PD officer issues the criminal trespass warning if the alleged offender is determined to pose a risk to campus safety based on information provided by the requestor as it relates to applicable state law and/or TAMU PD policy. When the warning is issued, the officer is responsible for providing notice to the requestor and the person receiving the warning.

TAMU PD officers are notified of criminal trespass warnings that exist in their area. If a criminal trespass warning is violated, TAMU PD should be contacted immediately at 979-845-2345. A violation of the criminal trespass warning occurs when the individual is issued a warning but refuses to leave campus or is subsequently found in a prohibited area based on the trespass warning. The requestor and other institutional personnel should take appropriate action by contacting TAMU PD for a responding officer when they become aware of a potential violation of a criminal trespass warning. TAMU PD generally enforces these warnings by charging violators with criminal trespass resulting in arrest and/or fine.

If the complainant, alleged offender, or member of the RELLIS community has obtained an order of protection, civil no-contact order, or any other as described in this section, against another member of RELLIS community, the order should be provided to the official contact or designee. In conjunction with TAMU PD and other University officials, the official contact or designee will take all reasonable and legal actions to implement the order.

Other Legal Options: The TAMU PD's Community Services Division at 979-845-0070 is available to provide information about personal safety, Texas Crime Victim's Rights, Texas Crime Victims Compensation Fund and other information upon request. Or visit the Office of the Texas Attorney General's website at <https://www.texasattorneygeneral.gov/cvs/crime-victims-compensation>.

### **Primary Prevention and Awareness Programs<sup>2</sup>**

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

TAMU 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 to avoid potential attacks, and victims' rights and options. 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; and explanation of victim confidentiality and protection from retaliation. (See: [TAMU Student Handbook](#)).

The Office of Compliance assigns an mandatory online training module, Sexual Assault Prevention, to all incoming freshman and transfer students.

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<sup>2</sup> For the purposes of this section awareness programs means community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration. Programs to prevent dating violence, domestic violence, sexual assault, and stalking means comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, assessed for value, effectiveness, or outcome; and consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.



Sexual Assault Prevention is a program that educates 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. Similar information is also offered to new employees through the TAMUS' web-based training portal TrainTraq and through our Employee Assistance Program (EAP) provider Work/Life Solutions Program by GuidanceResources, previously known as Deer Oaks.

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, initiatives, strategies, and campaigns in an effort to end 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 reduce or eliminate 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.

Primary prevention programs as described above included:

- Creating a Discrimination Free Workplace Online Training (All employees are required to complete the training every two years thereafter);
- Clery Act Guidelines for A&M System Campus Security Authorities Online Training (All employees are required to complete the training annually);
- Prescription Abuse Prevention Online Training (For incoming students);
- AlcoholEDU Online Training (Each semester, the training is sent to all incoming TAMIU undergraduate and graduate students.); and
- Sexual Assault Prevention/Title IX Online Student Orientation Training Module (Each semester, the training is sent to all incoming TAMIU undergraduate and graduate students).

### **General, Ongoing Crime Prevention and Awareness Programs**

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

TAMIU held approximately three (3) crime prevention and security awareness programs during the 2018-2019 academic year to inform students and employees about campus security procedures and practices. 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.

General, On-going Crime Prevention and Awareness Programs included:

- Student Health 101 Online Magazine;
- Semester Notification to Students; and
- Annual Notification to Employees.

### **Bystander Intervention and Risk Reduction<sup>3</sup>**

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

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

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

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

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

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

### **Sex Offender Registry**

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

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

The DPS public web page can be found at <https://records.txdps.state.tx.us/SexOffender/>.

TAMU PD receives notification of registered sex offenders that are currently employed, volunteer, or attend classes on the campus of TAMU. Notification comes from the Brazos County Sheriff's Sex Offender Registration Office.

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<sup>3</sup> Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene. Risk reduction means options designed to decrease perpetration and bystander inaction and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

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

- Brazos County Sheriff's Office – 979-361-4980
- Bryan College Police Department – 979-209-5300
- College Station Police Department – 979-764-3600
- Blinn College Police Department – 979-361-3888

### **Definitions of Clery Act Offenses**

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

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

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

- ***Rape:*** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- ***Fondling:*** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- ***Incest:*** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- ***Statutory Rape:*** Sexual intercourse with a person who is under the statutory age of consent.

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

***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.

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

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

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

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

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned, including joyriding).

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

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

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

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

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

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

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

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

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

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

***Additional Hate Crime Definitions:***

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

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

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

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

***Arrests and Referrals for Disciplinary Action:*** Arrest is defined as persons processed by arrest, citation, or summons. Referred for disciplinary action is defined as the referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction. Clery Act statistics are disclosed for arrests and referrals regarding state or local violations of liquor, drug abuse, and weapons laws. Only violations of the law resulting in arrest or referral are disclosed. Violations of institutional policy alone are not included in Clery Act statistics.

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

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

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

**RELLIS Student Code of Conduct Definitions relating to Student Sexual Misconduct (including Sexual Assault, Sexual Harassment, Sexual Exploitation, Domestic Violence, Dating Violence, Stalking and Related Retaliation)**

*Remedies* – In response to a report of an alleged violation of this policy, RELLIS may provide reasonable and appropriate assistance through the Title IX Coordinator or designee. Remedies generally refer to support or assistance that can be provided to either party without impacting the rights of either party, and which may be implemented independent of the investigation and disciplinary process. This may include but is not limited to assistance in accessing health and counseling services, developing safety plans, academic accommodations, assistance in connecting to other campus and community resources, absence notifications to faculty, requests for incompletes, or housing assignment changes.

*Consent* – Clear, voluntary and ongoing agreement to engage in a specific sexual activity. A person need not verbalize consent to engage in a sexual act for consent to exist. Consent to engage in a sexual act may be expressed through physical actions, as well as words. A person who was asleep or mentally or physically incapacitated, either through the effects 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. (See also [System Regulation 08.01.01](#))

*Designated administrator* – The decision-making entity specified by RELLIS. This may be an administrator or a hearing panel but may not be the direct supervisor of the respondent. ([System Regulation 08.01.01](#))

*Investigative Authority* – One or more individuals appointed to conduct a formal inquiry to discover and examine the facts of an allegation. ([System Regulation 08.01.01](#))

*Interim measures* - In response to a report of an alleged violation of this policy, RELLIS may impose such reasonable and appropriate interim protections or remedies when it determines that they are necessary and appropriate to the safety of the community and to protect the integrity of the complaint/investigation process. These may include, but are not limited to physical separation, contact limitations, alternative work or other arrangements, suspending or limiting access to certain University facilities or activities, and academic adjustments.

*Reporting party/Complainant* – the individual who provides an oral or written account of an alleged violation of the Sexual Misconduct/Sexual Harassment and/or related retaliation rules. This may be the individual who was subjected to the alleged violation (Complainant), or a third party who observed or was made aware of the alleged violation. ([System Regulation 08.01.01](#))

*Retaliation* – Verbal, physical or technological harassment, intimidation, and or retaliation against a person participating in investigation and/or adjudication proceedings as a complainant, respondent, witness, hearing officer, hearing board member, investigative authority and other staff for exercising their rights under the student code of conduct or performance of their duties, prior to, during or after the matter is finalized. This includes retaliation by a person involved in the case or a third party acting on their behalf. Retaliation complaints are heard under the nonacademic misconduct process.

*Respondent* – The person designated to respond to a complaint. Generally, the respondent would be the person alleged to be responsible for the prohibited sexual misconduct/sexual harassment and/or related retaliation alleged in a complaint. Respondent may be used to designate persons with direct responsibility for a particular action or those persons with administrative responsibility for procedures and policies in those areas covered in a complaint.

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

*Sexual Assault* – An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting program.

*Sexual Exploitation*- a situation in which an individual takes non-consensual or abusive sexual advantage of another for his or her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited. For example, sexual exploitation could include such actions as secretly videotaping sexual activity, voyeurism, sexually-based stalking, invasion of sexual privacy, and knowingly transmitting a sexually transmitted disease to another person.

*Dating Violence* – violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

*Domestic Violence* – a felony or misdemeanor crime of violence committed by: (a) a current or former spouse or intimate partner of the victim; (b) a person with whom the victim shares a child in common; (c) a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (d) a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or (e) 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.

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

#### *Harassment*

Conduct by any means with intent to harass, abuse, torment, intimidate, or bully another and would cause a reasonable person substantial emotional distress and undermine his or her ability to work, study, learn or participate in regular life or university activities. Harassing conduct may be verbal, written, visual, electronic, or physical in nature; this may include only on~ instance to be deemed "harassment."

#### **Definitions of Clery Act 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. This also includes any building or property that is within or reasonably contiguous to the geographic area that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

*Non-campus*: Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution. This also includes any building or property owned or controlled by a student organization that is officially recognized by the institution. No non-campus facilities are owned or controlled by RELLIS Campus, therefore, statistics for non-campus facilities are not required to be disclosed.

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

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

#### **Texas A&M International University RELLIS Campus – Crime Statistics**

TAMIU is not required to report statistics for the RELLIS Campus until calendar year 2020. This current reporting cycle includes crime statistics for calendar years 2018, 2017, and 2016. Since we began offering our program of study at the RELLIS campus Fall 2019, we are not required to report any crime statistics until next year.

### Important RELLIS Telephone Numbers

Emergencies- Police/Fire/Medical	911 for off campus; 911 or 9-911 for on campus	University Police Department	979-845-2345
Bryan Police (non-emergency)	979-361-3888	Blinn College Police Department (at RELLIS)	979-209-7600
Brazos County Sheriff (non-emergency)	979-361-4980	University Police Department (at RELLIS)	979-845-2345
College Station Police (non-emergency)	979-764-3600	Department of Public Safety (State Troopers)	979-776-3100
Crime Stoppers 775-TIPS	979-775-8477	Health Promotion (Counseling & Referral, Alcohol & other Drugs)	979-845-0280
FBI	979-776-8894	Bryan Fire	979-209-5960
Brazos County Fire (Rural)	979-361-3888	Transportation Services	979-845-9700
College Station Fire	979-764-3700		

For more information about the TAMIU RELLIS campus guidelines and procedures, refer to the RELLIS Code of Student Conduct at: <https://rellis.tamus.edu/wp-content/uploads/sites/41/2019/09/RELLIS-Student-Code-of-Conduct-2019-20-for-web.pdf> or request a copy of the publication from the RELLIS Associate Director at 979-317-3402. This publication of the annual campus security report can be found at <http://www.tamtu.edu/clery/rellis.pdf>.

### Other Annual Security Reports and Annual Fire Safety Reports

Annual Security Reports and Annual Fire Safety Reports for all Texas A&M International University locations are as follows and are available at the following websites. Annual Security and Fire Safety Reports may be combined in one document.

- Texas A&M International University 2019 Annual Security and Fire Safety Report: <https://www.tamtu.edu/clery.pdf>