



TEXAS A&M UNIVERSITY-TEXARKANA

ANNUAL SECURITY & FIRE SAFETY REPORT

2023

Information provided on affiliated
separate campuses:
RELLIS Campus
Northeast Texas Community College

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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August 25, 2023

Dear Community Member:

I am pleased to offer this introduction to the 2023 Security and Fire Safety Report for the 2022, 2021, and 2020 calendar years for Texas A&M University-Texarkana.

Not only does this report comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, it is part of our continuous effort to inform our campus community of the safety programs and services available and the steps we all can take to maintain our own safety and the security of others.

At A&M-Texarkana, the safety of our students, faculty, staff, and visitors is our paramount concern. The best protections against campus crime are a strong law enforcement presence; an informed, aware, and alert campus community; a commitment to reporting suspicious activities; and using common sense when carrying out daily activities.

Texas A&M University-Texarkana is dedicated to reducing risk and the potential for crime. However, safety and security are shared responsibilities. We invite our current and prospective community members to contribute to the safety and security of our campus, and we welcome your suggestions and recommendations.

If you have any questions concerning this safety report, please contact the University Police Department at (903) 334-6626.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dr. Ross Alexander", with a large, sweeping flourish extending to the right.

Dr. Ross Alexander
President

TEXAS A&M UNIVERSITY-TEXARKANA

Preparation of the Annual Security and Fire Safety Report and Disclosure of Crime Statistics

The Texas A&M University-Texarkana (TAMUT) Clery Compliance Officer, in conjunction with the Clery Act Compliance Committee, prepares this report on an annual basis to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act). This report is prepared with the cooperation of the University Police Department, Office of Student Life, Office of Residence Life, Office of Admissions, Human Resources, Athletics Department, and the Director of Title IX.

Campus crime statistics, including arrests and referrals for judiciary sanction, include those reported while students traveled for university business, those reported to local police near or adjacent to the university-owned or controlled property, and crimes reported to designated campus officials and campus security authorities. Designated campus officials and campus security authorities include the TAMUT Police Officers and Security Personnel, Human Resource Officers, Assistant Vice President of Student Life, Director of Student Life, Director of Title IX, Residence Life Coordinator, Deans, Athletic Department Staff, Student Engagement Coordinators, Resident Advisors, Advisors to student organizations, among others designated by the university. Campus Security Authorities receive training on an annual basis regarding the Clery Act.

Notifications of Availability for the Annual Security and Fire Safety Report

Each year, an email notification is sent to all enrolled students that provides the link to the Annual Security and Fire Safety Report (ASFSR). Faculty and Staff also receive an email notification with the same link. The Admissions Office webpage on the TAMUT website provides the website address for the ASFSR for prospective students, and prospective employees are provided this information in the application process online and in job application packets. A paper copy of the ASFSR can be obtained at the University Police Department in the Central Plant Building, located at the main campus at 7101 University Avenue, Texarkana, Texas, 75503.

TAMUT is committed to putting the health and safety of our students, employees, and visitors above all other priorities. This report is designed to inform students and employees about various safety policies, procedures, and prevention methods employed by the University. This report also informs students,

employees, and visitors of the number and types of crimes that have occurred on campus property, non-campus property, and public property surrounding the campus, within the last three years. This report further indicates which incidences of on-campus crime occurred within our residence hall, Bringle Lake Village.

Campus Law Enforcement Policies

University Police Department Overview

The TAMUT University Police Department reports to the Vice President of Finance and Administration. The University Police Department has six (6) licensed, commissioned Police Officers and two (2) Security Officers. The department is staffed by the Chief of Police, one (1) Sergeant, one (1) Corporal, three (3) Patrol Officers, and two (2) Security Officers. These officers readily assist students, employees, and visitors in any way possible. The TAMUT University Police Department also works closely with the Clery Compliance Officer and Clery Committee to ensure a clear and accurate representation of the university police department's policy and procedures are included in the ASFSR.

Jurisdiction

The University Police Department Officers are certified Texas Peace Officers as defined in Article 2.12 of the Texas Code of Criminal Procedures, pursuant to section 51.203 of the Texas Education Code. The primary jurisdiction of the TAMUT University Police Department officers includes all counties in which property is owned, leased, rented, or otherwise under the control of the Texas A&M University System.

Arrest Authority

As certified Texas Peace Officers, the six (6) sworn TAMUT University Police Officers have the same authority as municipal, county, and state Peace Officers and are authorized to carry firearms and make arrests when needed. TAMUT's two (2) Security Officers cannot make arrests or carry a firearm but can provide security assistance and issue administrative citations for violations of campus policy.

Enforcement Authority

The University Police Department is linked to the city, state, and federal criminal justice agencies, which provide the University Police Department with additional access to criminal records, wanted persons, stolen property reports, and vehicle information. Crimes reported to the TAMUT University Police Department are investigated and forwarded for prosecution through the Offices of the County

Attorney and District Attorney when appropriate. Criminal matters involving university students may also be referred to the university administration for disciplinary action.

Working Relationships and Agreements

A close working relationship has been maintained with the Texarkana Texas Police Department, as well as other State and Federal Agencies. A Mutual Aid agreement is in place with the Texarkana Texas Police Department, Texarkana Independent School District Police Department, and the Bowie County Sheriff's Office. The Clery Compliance Officer, housed in the University Police Department, works closely with the Texarkana Texas Police Department to ensure crime reports for university non-campus property, and public property adjacent to the main campus, is included in the university's annual crime statistics disclosure. The UPD Clery Compliance Officer also requests crime reports for all university-controlled locations and overnight events that involve students regardless of what city or country the activities take place, for inclusion in the annual statistics disclosure. At this time, TAMUT does not have any recognized student organizations with non-campus housing facilities.

Local Law Enforcement, Emergency Aid, and Safety Assistance Directory

On Campus:

On-Campus Emergency (Fire/Medical/Police)	Ext. 6611 from a campus phone, or 903-334-6611 from a cell phone *Or 911 from any phone
University Police Department Office <i>(General Information)</i>	903-334-6674
University Chief of Police	903-334-6626
University Police Sergeant <i>(Citations Assistance)</i>	903-334-3114
Facilities and Maintenance Office (SSC)	903-334-6701
Environmental Health and Safety Manager	903-334-6794
Student Counseling Services	903-223-3186
Residence Hall Coordinator	903-223-1355

Student Affairs Office 903-223-3062

(General Information)

Local:

Emergency (Fire/Medical/Police)	911
Texarkana, Texas Police Department Office	903-798-3116
<i>(General Information & Assistance)</i>	
Texarkana, Arkansas Police Department Office (General Information & Assistance)	903-798-3130
Bowie County, Texas Sheriff's Office	903-798-3149
Miller County, Arkansas Sheriff's Office	870-774-3001
Texarkana Crime Stoppers - TIPS	903-793-7867
T-Line Public Transportation	903-794-8883
Texas Department of Public Safety	903-792-2530
Federal Bureau of Investigation (FBI)	870-774-7642

Additional law enforcement assistance, local resources, and social service organizations are included in the directory on page 38.

Reporting Crimes

Incident Reporting and Response

Any on-campus emergency, whether a criminal offense or suspected criminal activity, should be reported immediately. Students, employees, and visitors are encouraged to report this information to the University Police Department by calling 6611 from any campus phone or dialing 903-334-6611 from a cell phone. Blue Boy Emergency Phones, located in the main parking lot, Bringle Lake Village parking lot, and along main walkways near campus buildings, are an additional way to reach campus police. Students, employees, and visitors can also call the local municipal police department, Texarkana Texas Police Department, by dialing 911 anytime.

Reporting Criminal Offenses to University Officials: Campus Security Authorities

The University Police Department encourages anyone who is a victim or witness to any crime to report the incident to the police accurately and promptly. As an option, criminal offenses may also be reported to any designated Campus Security Authorities (CSA's) including, but not limited to, the Director of Student Life, Human Resources Offices, Residence Life Coordinator, Resident Assistants, Athletic Coaches, and Advisors to student organizations. If a crime is reported to a CSA, they must, in turn, notify the University Police Department via the designated CSA reporting form. If the reporting person does not want a police investigation, one will not be triggered by the CSA report, where permissible by law. The reported information will be included anonymously in the annual crime statistics disclosure within the ASFSR. University Counselors are also encouraged to advise victims of crimes of the option to anonymously submit reports via the CSA channels for inclusion in the annual crime statistics disclosure. The University Police Department, Student Services Office, and Campus Security Authorities will accept all confidential and anonymous reports of crime for inclusion in the annual crime statistics disclosure within the ASFSR.

Brief CSA Contact List for Quick Access

(Not a full or comprehensive list)

Title	Phone Number
Dean of the College of Arts, Sciences and Education	903-223-3174
Dean of the College of Business, Engineering and Technology	903-334-6629
Director of Student Life	903-223-1351
Residence Life Coordinator	903-223-1355
Athletics Academic Advisor	903-334-6690
Title IX Coordinator	903-334-6755
Student Engagement Coordinator	903-334-6750

Confidential and Anonymous Reporting of Crimes

If you are a victim of a crime and do not want to pursue action within the University System or the Criminal Justice System, you may still file a confidential report. You can contact the University Police Department or any of the Campus Security Authorities and report a crime without revealing your identity. The University can then keep an accurate record of the number of crimes, reveal crime patterns, and be able to alert the campus community to potential dangers. Felony Crimes on-campus can also be reported anonymously by calling the local Crime Stoppers number: 903-793-7867.

The Daily Crime Log

TAMUT University Police Department maintains a Daily Crime Log which is updated each business day and contains all crimes reported to the department. This log contains every reported crime on-campus and is not limited to Clery Reportable Crime categories. The log identifies the nature of the crime, the location it occurred, the date and time it occurred, the date and time it was reported to the University Police Department, and the disposition. The Daily Crime Log is located in the Central Plant in the University Police Department's main office. The Daily Crime Log is available to the public for review upon request.

Missing Students

The TAMUT Missing Student Notification Policy contains procedures for missing students who reside in on-campus housing. The purpose of this policy is to promote the safety and welfare of students.

Whom to Report Missing Students:

If a member of the TAMUT campus community has reason to believe that a student who resides in on-campus housing is missing, he or she should notify the University Police Department at 903-334-6611 and the Residence Life Coordinator at 903-223-1355 so they can investigate whether the student is missing.

If the University Police Department determines that a student is missing and has been for more than 24 hours, the University Police Department will notify the student's designated Missing Persons Emergency Contact no later than 24 hours after the student is determined to be missing. When students move into the Bringle Lake Village Residence Hall, they are given housing-related forms to fill out and return to Bringle Lake Village Residence Hall Staff upon completion of

check-in. Included in the student's Bringle Lake Village housing packet, there is a form that gives students the option to identify a "Missing Persons Emergency Contact." This additional "Missing Persons Emergency Contact" can be any individual that the student wishes, including friends, relatives, or parents. This designation permits the University Police Department to confidentially contact their Missing Persons Emergency Contact in the event the student is determined to be missing for 24 hours. This contact information will be registered confidentially, and this information will be accessible only to authorized campus officials. It may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation. Students can change their Missing Students Emergency Contact anytime by contacting the Residence Life Coordinator in writing. If a student has been identified as such an individual, the University Police Department will notify that individual no later than 24 hours after the student has been determined to be missing.

If the missing student is under the age of eighteen and is not an emancipated (independent legal status) individual, the University Police Department will notify the student's parent or legal guardian immediately after the student has been determined to be missing for 24 hours. The University Police Department will also notify the Texarkana Texas Police Department once it has been determined that a student has been missing for more than 24 hours.

Timely Warning Policy

The TAMUT University Chief of Police or a designee will develop Timely Warning Notices for the university community to notify members of the community about serious crimes against people that occur on-campus or contiguous to campus, where it is determined that the incident may pose a serious or ongoing threat to members of the university community. These warnings will be distributed if the incident is reported either to the University Police Department directly or to the University Police Department indirectly through a Campus Security Authority or any local police agency. The Chief will determine if the release of the Timely Warning Notice would compromise law enforcement efforts and determine the appropriate time for the release to be made. TAMUT will issue Timely Warning Notices anytime a Clery-reportable crime is reported on campus, to a CSA, or to the University Police Department that may pose an ongoing serious threat to students, employees, or other members of the campus community, including guests such as persons attending campus events or sporting events. Clery reportable crimes include:

1. Criminal homicide – Murder, Non-negligent Manslaughter, Manslaughter by Negligence

2. Sexual Assault – Rape, Fondling, Incest, Statutory Rape
3. Robbery
4. Aggravated Assault
5. Burglary
6. Motor Vehicle Theft
7. Arson
8. Hate Crimes

A Timely Warning Notice will typically include the following unless issuing any of this information would risk compromising law enforcement efforts:

- Date and time or timeframe of the incident
- A brief description of the incident
- Information that will promote safety and potentially aid in the prevention of similar crimes
- Suspect description(s) when deemed appropriate and if there is sufficient detail
- Police/Public Safety agency contact information
- Other information as deemed appropriate by the Chief or his/her designee

The TAMUT University Police Department Chief of Police or designee reviews all reports to determine if there is a serious or ongoing threat to the community and if the distribution of a Timely Warning Notice is warranted.

The University Police Department will draft the Timely Warning Notice and will email the proposed Timely Warning Notice to the President's Office, Vice President for Finance and Administration, and the Communications Manager. After review or revision, the Communications Manager will transmit the email containing the Timely Warning Notice to the University community as a blast email, text message or phone call, or any combination of the three methods of communication. Updates to the TAMUT community about any particular case resulting in a Timely Warning Notification also may be distributed electronically via blast email, text message, phone call, and/or posted on the University's website.

Timely Warning Notifications may also be posted in campus buildings when deemed necessary. When a Timely Warning Notification is posted in campus buildings, it shall be printed on orange paper and be posted in the lobby/entrance area of the affected building(s) for seven (7) days. Copies of the Timely Warning Notifications are stored electronically and filed in the case jacket with the corresponding incident report.

The Family Educational Rights and Privacy Act (FERPA) does not preclude an institution's compliance with the Timely Warning provision of the Clery Act campus security regulations. FERPA recognizes that information can, in case of an emergency, be released without consent when needed to protect the health and safety of others. In addition, if institutions utilize information from the records of a campus law enforcement unit to issue a Timely Warning Notification, FERPA is not implicated as those records are not protected by FERPA. See [34 CFR.99.36 and 99.8].

The Violence Against Women Act (VAWA) requires that the University Police Department withhold the name of victims as confidential in a Timely Warning Notification. There is no requirement to withhold the perpetrator's name from the Timely Warning Notification.

Crimes exclusively reported to a Pastoral or Professional Counselor are exempt from Timely Warnings.

Emergency Notification Policy

Upon notification of an emergency, it shall be the responsibility of the Chief of Police, any University Police Department Officer, or an institutional official to verify the situation or incident on campus to determine if the significant emergency or dangerous situation may involve an immediate or ongoing threat to the health and safety of students, employees, and visitors on campus. This process involves confirmation of the event or an update from the local law enforcement agencies surrounding the campus. Confirmation does not necessarily mean that all of the pertinent details are known or even available. The Chief of Police or his designee shall determine whether an emergency communication is warranted. Once the emergency is verified and warranted, the Chief of Police or his designee will determine the appropriate segment or segments of the community to receive the notification. The entire campus community will be notified when there is at least the potential that an exceptionally large segment of the community will be affected by a situation or when a situation threatens the operation of the campus as a whole.

There will be a continuing assessment of the situation and additional segments of the campus community may be notified if a situation warrants. The University Police Department will determine how much information is appropriate to disseminate at different points in time during the emergency. Keep in mind, the segments of our community targets may differ. For example, in the case of an approaching tornado, we may want to tell dorm residents to take shelter and may want to tell commuter students to stay away from the campus. Consideration

shall be given as to whether an emergency notification will compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. If the decision to launch an emergency notification is made, the Chief of Police, his designee, or the Communications Manager will determine the content of the message and launch or direct an authorized user to launch the message. The Communications Manager or his immediate backup will be responsible for initiating the notification system at TAMUT and will send the notice.

Once the Chief of Police or his designee determines that the situation has been resolved and/or no longer poses a threat to the community, he or she shall launch, or cause to be launched an "All Clear" message, directing members of the community to resume to normal activities.

Emergency Response and Evacuation Policy and Procedures

TAMUT updated its Emergency Management Plan in the spring of 2022. The plan was developed using the "all-hazards" approach to emergency management. The University will conduct an exercise annually to test the effectiveness of the plan. This may consist of a tabletop exercise or an actual drill that would test some aspect of the plan. Fire and evacuation drills will be held each fall and spring semester.

If you hear a fire alarm:

- Leave the building immediately, closing all doors behind you.
- Follow the main evacuation routes which are primarily the staircases located throughout the buildings, and then proceed to the South parking lot.
- If you must evacuate through smoke, get low to the floor and crawl.
- If you must open doors while evacuating, test the door before opening. Use the back of your hand to touch the door, the doorknob, and the door frame. If they are hot, do not open the door.
- Use stairways, never an elevator.
- Once outside, assemble at any on-campus parking lot, and do not return to the building until the Fire Department or University Police Department has indicated the building is safe to re-enter.
- If you are trapped, try to stay as calm as possible. Try to get to a room with an outside window and a telephone. Call 911 and give them your exact location. If there is no phone, wave an object out of the window to signal for help. Keep all doors between you and the fire closed. Cover all vents

and seal cracks around the door to keep out smoke. Be as calm and patient as possible. Rescue personnel will arrive to assist you.

If there is a tornado:

- Move in an orderly manner to the designated location within the building for shelter.
 - Science and Technology Building: The interior stairwell on the first floor; first-floor restrooms or the west hallway where there is no glass.
 - University Center: The University Center has designated severe weather shelter areas on the first floor. This would include the restrooms; hallways on the southeast and southwest ends of the building; the kitchen area; and the conference rooms on the north and northeast sides of the building.
 - Bringle Lake Village Residence Hall: All occupants above the first floor are directed to go to the interior rooms on the first floor of the dorm. Shelter rooms are assigned at the beginning of each semester by the Residence Life Coordinator.
 - Central Plant: Men's or Women's Restrooms or Conference Room 165
 - Academic and Student Services Building (BASS): Hallways are located on the first-floor interior of the building away from windows. The first-floor restrooms and breakrooms are also available as shelters.
 - Patterson Recreation Center: The restrooms, locker rooms, and hallways that are away from the windows.
- Keep away from windows.
- Always protect your head and neck.

If there is an evacuation emergency (i.e., Toxic Chemical Spill, Bomb Threat, or Flooding):

- University Police Department Officers will advise the campus community through the RAVE system and/or the public address systems located within each building.
- Take only essentials with you.
- Turn off lights and computers and close doors as you go.
- Familiarize yourself with the Evacuation Route maps that are in every office and classroom on campus, including rooms within the Bringle Lake Village Residence Hall.
- Dress appropriately for the weather, if possible.
- Do not use the elevators. Take the stairs.

- If the entire campus needs to evacuate and you are in your vehicle, protect against hazardous materials by keeping windows closed and outside air conditioning systems turned off until well out of the danger area.
- Go to the Building Evacuation locations discussed during orientations.
- The RAVE notification system will provide updates.

Emergency Preparedness

During this reporting period (calendar year 2022), TAMUT hosted and participated in exercises and drills to improve the university’s response and evacuation capabilities to various threats to the campus community. Records of these activities are included in the following Emergency Response Preparedness Matrix.

EMERGENCY RESPONSE PREPAREDNESS MATRIX				
EXERCISE	DATE	TIME	ANNOUNCED (A) UNANNOUNCED (U)	DESCRIPTION
Fire Drills	February 16, 2022 September 11, 2022, December 21, 2022	11:00 AM 10:39 AM 9:00 AM	U	Fire drills executed at residential facilities
Active Shooter Drill	October 7, 2022	9:00 AM – 11:00 AM	A	Full Campus Evacuation

Emergency Response Team

The University has developed an Emergency Response Team that will assist in fires, evacuations, and other emergency situations. This team has received training in light search and rescue, first aid and CPR, Automatic External Defibrillator (AED), and fire extinguisher training.

Emergency Management Plan: Training and Exercises

TAMUT understands the importance of training, drills, and exercises in the overall emergency management program. To ensure that University personnel and community first responders are aware of their duties and responsibilities under the TAMUT plan and the most current procedures, the following training, drill, and exercise actions will occur:

1. Training and refresher training sessions shall be conducted for all University personnel. Training shall be held at various times during the academic year which will allow for maximum attendance.

2. Information addressed in these sections will include updated information on plans and/or procedures and changes in the duties and responsibilities of plan participants. Discussions will also center on any revisions to additional materials such as appendices. Input from all personnel is encouraged.
3. TAMUT will plan for drills/exercises during the year. The Emergency Management Team will determine the types of drills and exercises. The Emergency Management and Evacuation Procedures will be communicated as part of each drill/exercise.
4. TAMUT will participate in external drills or exercises sponsored by local responders by mutual agreement. The availability of University personnel and the nature of the drill or exercise shall govern the degree to which the University will participate as it relates to improving the University's ability to respond to and deal with situations.
5. It will be up to the discretion of the President if the drills/exercises are announced or unannounced.

Upon completion of the drill, an After-Action Review Report will be completed to document the strengths and weaknesses noted during the drill. The After-Action Review Report will include the original drill plans, the date and time the drill took place, and if the drill was announced or unannounced.

Emergency Notification System

In the event of an emergency on campus, the University has several options in place for communicating information quickly to the campus community. TAMUT uses the RAVE Mobile Safety emergency notification system. This system gives the University the ability to communicate health and safety emergency information quickly via phone, e-mail, and text messages. The Communications Manager or his backup will notify the community via web pages and social media. The University is also equipped with a PA System and outdoor speaker arrays that will be utilized during emergencies.

Issuing Emergency Notifications

TAMUT will, without delay, notify the University community of any immediate threat to the health and safety of students or employees occurring on campus. The Communications Manager or his backup will then activate the Emergency Notification System unless the notification shall in some way compromise the efforts to assist victims or contain, respond to, or mitigate the emergency. If the group determines the surrounding community should be notified, the Communications Manager shall contact local radio, television, and news services.

The types of incidents that may cause an immediate threat to the TAMUT community could include but are not limited to emergencies such as: *an active shooter on-campus, a bomb threat, a hostage/barricade situation, a riot, a suspicious package with confirmation of device, a tornado, a fire/explosion, suspicious death, structural damage to a TAMUT owned or controlled facility, biological threat (anthrax, etc.), significant flooding, a gas leak, hazardous materials spill, etc.*

The notification will be distributed if the incident is reported either to the University Police Department directly or to the University Police Department indirectly through a Campus Security Authority (CSA), any local police agency, or other appropriate agency. The University Police Department has a responsibility to respond to such incidents to determine if the situation does, in fact, pose an immediate threat to the community.

The University Police Department supervisor on duty or senior officer is responsible for immediately notifying the University Police Department Chief of Police or his designee of any situation that poses an immediate threat to the community. The Chief of Police or his designee will notify the TAMUT Communications Manager and President's Office, depending on the type of emergency, of the need for an emergency notification. The President's Office is responsible for notifying the appropriate senior administrators.

The Chief or his designee will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders including, but not limited to: the University Police Department, Texarkana Texas Police Department, Texarkana Texas Fire Department, Bowie County Sheriff's Office, compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

An Emergency Management Plan is in place to direct students and staff to the exact procedures to follow in any given emergency. The plan was updated in 2022 and can be found on the University website here:

https://tamut.edu/administration/ehs/files/emergency_management_plan.pdf

Registering for Emergency Notifications

In the Fall of 2011, the Texas Legislature passed a law requiring all universities to automatically enroll students, staff, and faculty into their emergency alert system. All students, faculty, and staff are now automatically enrolled in the RAVE System and have the option of opting out of the system if they so desire. If

anyone would like to opt out or change their preferences, go to <https://getrave.com/login/TAMUT> to do so.

Security of and Access to Campus Facilities

General Provisions

TAMUT is a public and open campus. For that reason, no effort is made to restrict the public from entering the campus, with the exception of our Bringle Lake Village Residence Hall Facility designated only for residential students. However, the University Police Department reserves the right to ban individuals from the campus if they are considered a threat to the well-being of the campus community.

Providing a secure campus is of the utmost importance to the University. The University, through various crime prevention programs, has made every attempt to provide a safe, secure environment for students and staff. Students and staff must also assist the University by being responsible for their own safety and the safety of others.

Residence Hall

The Bringle Lake Village Residence Hall opened in August of 2011, allowing students to live on-campus all year long, and their safety is paramount. Campus safety is promoted through regular maintenance of buildings and grounds, including the prompt replacement of non-operating lights and the trimming of bushes and hedges from building entrances and walkways.

The Bringle Lake Village Residence Hall is locked 24 hours a day and entry can only be gained by residents with a keycard. Visitors or guests of the residents must be met by the resident at the entrance and checked in at the front desk with either a TAMUT Student I.D. card, state-issued photo I.D., or passport.

Security cameras are located throughout the Bringle Lake Village Residence Hall and its parking lot, as well as all other buildings and parking lots throughout the campus. The campus is inspected by University Police Department Officers for safety hazards on a daily basis.

Fire alarm drills are conducted once during each fall and spring semester at the Bringle Lake Village Residence Hall. Detailed information regarding the fire safety and prevention information for the Residence Hall is available in the Fire Safety Report subheading.

Main Campus

The TAMUT main campus location is commonly referred to as the Bringle Lake campus. The Bringle Lake campus has numerous security features. All buildings at the Bringle Lake campus are equipped with video cameras inside and outside the buildings. There are outdoor emergency phones scattered across campus, referred to as “Blue Boys” by the campus community due to the blue light emitted from the top of the phone unit. The blue light ensures they are easily seen at night. There are a total of ten “Blue Boy” emergency phones on walkways and in parking lots on campus. To use a “Blue Boy” phone, simply push the call button and you will be connected via speaker to a University Police Officer or Security Officer on campus.

A University Police Officer or Security Officer is on duty 24 hours a day and will assist any student or employee in getting to their vehicle safely. University Police Department personnel will also assist in opening locked vehicle doors and providing jump-starts when needed. The University Police Department offers an Identification Program to help protect property from theft through engraving driver’s license numbers on personal property. An engraving machine is available at the University Police Department, located in the Central Plant building.

Parking Facilities

Campus parking lots are patrolled by the University Police Department 24 hours a day. All lots are illuminated and have clear parking signage. “Blue Boy” emergency phones are located in the main parking lots and on the walkways. All vehicles parked on campus are required to have a current TAMUT parking tag properly displayed on their vehicle. All visitors are required to park in visitor parking or request a temporary parking pass from the University Police Department's main office, located in the Central Plant building.

Academic and Administrative Buildings

Academic and Administrative Buildings are open to the public Monday through Friday during normal business hours. Outside of normal business hours, the buildings are locked and can only be accessed with an assigned swipe card or building key. All buildings are surveilled by cameras and monitored by the University Police Department in the Central Plant building. The TAMUT University Police Department patrols the buildings regularly, including overnight and throughout weekends.

Maintenance of Campus Facilities

TAMUT contracts with independent entity SSC Services for Education for custodial, grounds management, and plant operations and maintenance. Employees are encouraged to report maintenance problems through the maintenance connection portal via their department designee. Individuals can also call the SSC Office and report maintenance problems directly to the Administrative Assistant at 903-334-6701.

Alcoholic Beverages, Illegal Drugs, and Weapons

Alcohol and Illegal Drug Policy

To ensure the University's commitment to a quality educational and work environment, employees and students have a right to work and learn in an environment free from the effects of abuse of alcohol and illicit drugs. It is the policy of the University to discourage the misuse and abuse of alcoholic beverages and illicit drugs. The Drug Free Schools and Communities Act requires every institution of higher education to inform students of standards of conduct that clearly prohibit violations of local, state, and federal laws pertaining to alcohol and illicit drugs. Parents may be notified of students who are found responsible for alcohol and drug violations under The Student Code of Conduct.

Alcoholic beverages may be served and consumed at official University functions and approved non-University functions as approved by the President or his/her designee. However, alcoholic beverages may not be served at the functions of Student Organizations.

The University strictly prohibits the following actions and behaviors:

- A. The purchase, possession, or consumption of alcoholic beverages by persons under the age of twenty-one.
- B. Aiding and abetting an underage person in the purchase or possession of alcoholic beverages.
- C. Falsification of a driver's license or other identification to obtain alcoholic beverages.
- D. Appearing in any public place under the influence of alcohol, the individual may endanger his/herself or other persons, damage property, or disturb persons in the vicinity.
- E. Driving while under the influence or while intoxicated.
- F. Possession or consumption of alcoholic beverages in the Bringle Lake Village Residence Hall.

Alcoholic Beverages may be served and consumed at University events held off-campus according to the following guidelines, as well as in addition to the above guidelines:

- A. The sale, serving, and consumption of alcoholic beverages are strictly prohibited in areas and at times and dates licensed by the Texas Alcohol Beverage Control Board, or similar agencies in other states.
- B. Sponsoring groups and organizations will be responsible for providing security to ensure that guests conduct themselves properly and assist with crowd control.
- C. Alcohol may not be consumed or carried in open containers on any street, sidewalk, alley, or in a motor vehicle.
- D. Activity sponsors must examine the identification of all guests entering the activity. Guests under the age of twenty-one are not permitted to consume alcoholic beverages. If the activity is located in another state, all applicable state and local laws regarding alcohol sales, services, and consumption shall prevail. Sponsors must assure that official law enforcement or on-site security verifies the identification of all participants.
- E. Littering, infringing upon the rights of others, and abuse of public or private property in connection with possession or consumption of alcoholic beverages are prohibited.
- F. Promotion or advertising of an event must not encourage any form of alcohol abuse, nor should events be advertised to emphasize the quantity and/or frequency of the use of alcohol.
- G. Alcohol should not be provided as an award or prize to individuals or campus organizations.
- H. Student organizations must designate one person, perhaps an officer of that organization, to assume responsibility for assuring that there is knowledge of and compliance with these alcohol policies. It is recommended that this person participate in the special education programs offered by the Office of Student Life.

Beer distributors, liquor companies, bars, and nightclubs are not permitted to:

- A. Advertise on campus,
- B. Co-sponsor an event with a student organization,
- C. Advertise on any schedule card, athletic brochure or press guide, or other printed material,
- D. Provide advertising for University events presented on radio or television.

TAMUT does not assume responsibility for unofficial events held off-campus involving individuals or groups affiliated with the University. However, the University reserves the right to hold students and student organizations accountable for violations of federal, state, and local law by TAMUT students or student organizations off-campus in which said violations adversely affect the University community and/or pursuit of its objectives.

All members of the campus community are expected to abide by state and federal laws regarding controlled substances, illegal drugs, and alcoholic beverages. The possession, use, or sale of illegal drugs (as defined by the Texas Penal Code) on-campus is strictly prohibited and is a violation of state law. Violations can result in both University disciplinary action and criminal prosecution.

TAMUT provides drug and/or substance abuse prevention information and referral counseling services to any TAMUT employee or student. Employees can contact the Human Resources Department at 903-223-1360 or can visit the [Employee Assistance Program](#) website for more information. Students can contact the Office of Student Counseling at 903-223-3186 or stop by the department suite located on the fourth floor of the University Center on the main campus. Individuals who wish to seek help on their own, in confidence, may contact the Southeast Counseling and Mental Health Services – Drug/Alcohol outpatient division at 870-773-4655.

Health Risks of Drugs and Alcohol

Health hazards associated with excessive use of alcohol dependency include dramatic behavioral changes, retardation of motor skills, and impairment of reasoning and rational thinking. These factors result in an increase in accidents and accidental death for such persons compared to non-users of alcohol.

People who consume substantial amounts of alcohol over a brief period of time can reach very high blood alcohol levels before they pass out. This can lead to decreased breathing and death. Vomiting associated with elevated levels of alcohol may also cause choking and death.

Nutrition also suffers, and vitamin and mineral deficiencies are frequent. Prolonged alcohol abuse causes bleeding from the intestinal tract, damage to the nerves and brain, liver damage, psychotic behavior, and loss of memory and coordination. Other risks include impotence, inflammation of the pancreas, and damage to bone marrow, the heart, testes, ovaries, and muscles. Damage to nerves and organs can be irreversible.

If you need help with an intoxicated friend:

- Keep calm and get help. Individuals with high alcohol-blood levels can be unpredictable and violent.
- Speak in a firm, clear, reassuring manner.
- Stay with a person who is vomiting. If the victim is lying down, turn them on their side, keep the tongue from falling back into the throat, and protect them from choking.
- Monitor the person. If they become unconscious or appear to have problems breathing, seek medical help immediately by calling 911.
- Do not try to walk, run, or exercise the person, and do not try to keep the person awake.
- Do not try to restrain them without assistance from additional sober persons.
- Do not force anything into their mouth – food, liquids, or drugs – in an attempt to sober them up.
- Do not try to give them a cold shower. This can be extremely dangerous.

The use of illicit drugs may lead to physiological and mental changes similar to those caused by alcohol, although changes are usually more severe and more sudden. Death or coma resulting from an overdose of drugs is also more frequent. Illicit drugs are commonly classified into seven categories: cocaine, amphetamines, heroin and other opiates, hallucinogens, solvent inhalants, steroids, and marijuana. In addition to adverse effects associated with the use of a particular drug, intravenous-drug users who use unsterilized needles or who share needles with others can develop AIDS, hepatitis, and other harmful diseases.

Weapons Policy

Texas Government Code 411.203 allows people with a handgun license to carry concealed handguns in permitted areas on campus. The President is allowed to designate certain areas on campus where the carrying of concealed handguns by license holders is prohibited, subject to System and legislative review. Handguns must remain concealed. The open carrying of a handgun on campus is prohibited. Licensed Peace Officers are authorized by law to openly carry firearms at all times.

Any resident of campus housing who is a handgun license holder, when in the Residence Hall must store their handgun when not carried on or about their person in a safe that is provided and installed by TAMUT.

A license holder cannot carry a concealed handgun in the following areas, or as detailed in [University Rule Procedure 34.06.02 H1 Carrying Concealed Handguns on Campus](#):

- Student Counseling Center
- Psychology and Counseling Laboratories
- Premises where Programs for Minors are held
- Premises on which interscholastic events are hosted by TAMUT and where minors are the primary participants/audience
- Specific premises in which formal hearings are being conducted pursuant to University rules or procedures for faculty and staff disciplinary matters, student conduct proceedings, and academic grievances
- Testing Center
- Laboratories that have in their bounds flammable organic solvents, flammable liquids, or unstable (reactive) chemicals
- The Patterson Recreation Center
- Any premises where the University, as directed or approved by the President as necessary for campus safety, gives effective notice temporarily
- Any portion of the campus leased by the University or a third party, if the third party determines to prohibit the concealed carry of handguns on the premises and provides effective notice
- Assigned offices, as approved by the President, for which the employee has demonstrated that the carrying of a concealed handgun by a license holder in the office presents a significant risk of substantial harm due to a negligent discharge

Sexual Assault, Dating Violence, Domestic Violence, and Stalking

Conduct Prohibited

It is the policy of TAMUT that the University will not tolerate physical abuse, threats of violence, physical assault, or any form of sexual assault or abuse including, but not limited to, acquaintance or date rape, domestic violence, dating violence, and/or stalking. In addition, all such acts of sexual violence are considered forms of Sexual Harassment covered under Title IX of the Education Amendments Act of 1972. TAMUT considers it essential to provide Sexual Assault Awareness Programs for students and employees, aimed at the prevention of such crimes. The University Police Department and the Student and Academic Support Services Office offer brochures and other literature aimed at

promoting awareness of rape, date rape, dating violence of any kind, domestic violence and stalking, and other sex offenses. The Office of Student Life conducts mandatory training for all new students on Sexual Assault Awareness each semester. Speakers from various agencies are invited to campus to present programs on sexual assault awareness, domestic violence, dating violence, and stalking. The same information is presented to all new employees at new employee orientations.

Sexual Misconduct

Sexual Misconduct is a violation of University standards of conduct for students, faculty, staff, and the University community, as well as a violation of the law.

Sexual Misconduct is unwelcome conduct on the basis of sex that is severe, persistent, or pervasive enough to create a work, educational, or campus living environment that a reasonable person would consider intimidating, abusive, or offensive. Sex-based misconduct is explicitly prohibited under [TAMUS policy](#) and [TAMUT rule](#), including the TAMUT Student Code of Conduct. Aiding another in the commission of sex-based misconduct is also prohibited under these regulations. Sex-based misconduct includes but is not limited to, sexual assault, sexual exploitation, dating violence, domestic violence, and stalking based on sex.

Engaging in sexual conduct without consent is a serious offense; furthermore, such consent, whether verbal or non-verbal, may be withdrawn at any time, without regard to the activity preceding the withdrawal of consent. Students who experience or witness sexual misconduct against anyone in the campus community should report the incident to the Campus Title IX Coordinator as soon as possible. Sexual misconduct reporters have several options available to them for reporting the incident.

Options include:

1. Reporters can report the incident to the campus or local police for a criminal investigation of the incident. The Office of Student Life will assist individuals with this process if needed. The University will begin an administrative investigation of the alleged misconduct in addition to the police investigation.
2. The reporter can only report to the Campus for an administrative investigation conducted by trained Title IX investigators.
3. The reporter can make the report to the Title IX Coordinator but not participate in the administrative investigation. The University reserves the right to investigate to the extent possible and will weigh the request

against any reasonably foreseeable risk to the health and welfare of the community.

In all cases where sexual misconduct is reported to the University, students affected by the incident will be offered a written explanation of their rights and options as well as information about support services via counseling, class adjustments, housing arrangements, or other support services as needed.

The University desires to maintain an academic and work environment free of sexual violence for students, faculty, and staff. Sexual harassment violates the University's long-standing policy against discrimination on the basis of sex and is also a violation of state and federal law. It is prohibited in the employment context by Title VII of the 1964 Civil Rights Act and in the educational context by Title IX of the Educational Amendments of 1972. A complaint under this policy may be brought by a student on the conduct of any University community member.

Sexual Misconduct offenses include, but are not limited to, Sexual Harassment, Sexual Assault including Non-Consensual Sexual Intercourse (or attempts to commit same), Fondling, Incest, Statutory Rape, Sexual Exploitation, and Stalking based on sex.

Sexual Offenses Definitions

Sexual Harassment: Unwelcome conduct on the basis of sex (of a sexual nature or otherwise):

1. by an employee of the member who conditions the provision of an aid, benefit, or service of the member on an individual's participation in that unwelcome sexual conduct;
2. determined by a reasonable person to be so severe and pervasive and objectively offensive that it effectively denies a person equal access to the member's education program or activity; or
3. sexual assault or dating violence, domestic violence, or stalking 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 system. A sex offense is any sexual act directed against another person, without the consent of the victim, including instances in which the victim is incapable of giving consent. Sexual assault is explicitly prohibited under this regulation. Aiding another in the commission of sexual assault is also prohibited under this regulation. Sexual assault is a form of sexual harassment or sex-based misconduct.

Sexual Assault offenses are defined as:

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.

Stalking: Stalking is 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;
- B. (and/or) suffer substantial emotional distress.

For the purposes of this definition:

- A. A 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.
- B. A reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- C. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. [34 CFR 668.46(a)]

Stalking is explicitly prohibited under this regulation. Aiding another in the commission of stalking is also prohibited under this regulation. Stalking based on sex is a form of sexual harassment or sex-based misconduct.

Sexual Exploitation: Sexual Exploitation is a situation in which an individual(s) takes non-consensual or abusive sexual advantage of another for his or her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited. For example, sexual exploitation could include such actions as secretly videotaping sexual activity, voyeurism, sexually based stalking, invasion of

sexual privacy, exposing one's genitals or causing another to expose one's genitals, and knowingly exposing another person to a sexually transmitted infection or disease. Sexual exploitation is a form of sex-based misconduct.

Sexual Exploitation is explicitly prohibited within the Student Code of Conduct. Aiding another in the commission of Sexual Exploitation is also prohibited under the Student Code of Conduct. Sexual Exploitation is a form of sexual harassment or sex-based misconduct.

Additionally, dating violence and domestic violence are prohibited by TAMUT, in accordance with federal law and [System Regulation 08.01.01 Civil Rights Compliance](#) and [A&M-Texarkana Rule](#). Dating and Domestic violence are defined for the purposes of the Clery Act within the *1994 Violence Against Women Act* as:

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

- A. Dating Violence includes but is not limited to, sexual or physical abuse or the threat of such abuse.
- B. Dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence: 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 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;
- 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.

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

If any crime of sexual assault, stalking, domestic violence, and dating violence does occur, the reporter is provided an option to report the incident to the University Police Department and/or the Texarkana Texas Police Department. If any of these crimes are reported to any TAMUT Campus Security Authority (CSA), that CSA can assist the subject in notifying University Police at 903-334-6611 and/or the city Police Department by calling 911. The reporter of the crime, if so desired, can decide to decline to notify law enforcement to investigate their case. If the reporter chooses to have the University Police Department or Texarkana Texas Police Department investigate their case, both agencies will protect the confidentiality of the reporter and limit third-party notifications of the true identity of the reporter, to the extent allowed by law and so as not to impede the investigation. The release of information is governed by Texas Open Records regulations and Government code 552.001.

For Clery reporting purposes, only the crime itself will be recorded in the crime log with no personal identifiers released. TAMUT has a staff counselor who will respond to the hospital and liaison with the reporter. The counselor will also provide aftercare counseling at no cost to the student.

Reporters of domestic violence, sexual assaults, dating violence, or stalking crimes must decide whether to call the police and press charges in these cases. Many of these suspects in these types of cases are repeat offenders, and your report may prevent future acts from occurring. Even if the police are not notified, the University will conduct a Title IX investigation into the incident.

To assure University-wide compliance with this policy and applicable law, the Director of Compliance and Risk Management or the Human Resource/Civil Rights Protection Officer must be advised of all reported incidents of sexual harassment and their resolution. The Director of Compliance and Risk Management Office and the Human Resource/Civil Rights Protection Officer will monitor repeated complaints within the same division or against the same individual, to assure that such claims are appropriately handled. Investigators and hearing officers assigned to allegations of sex-based discrimination will be trained annually on the process for sex-based investigations and hearing processes. In all cases, the reporter (victim) and the respondent (accused) may be accompanied by an adviser of his or her choice who shall be permitted to attend, but not participate in, the proceedings. The university prohibits retaliation against any person who in good faith reports, complains about, or participates in an informal resolution or formal investigation of a sexual harassment allegation.

On-campus disciplinary action in cases of alleged sexual assault, domestic abuse, dating violence, and stalking will be handled in accordance with System Regulation 08.01.01, Civil Rights Compliance, and TAMUT University Rule 08.01.01.H1, Civil Rights Compliance. Both the reporter and respondent have the same opportunity to have witnesses present during a campus disciplinary proceeding. Both the reporter and the respondent shall be informed of the outcome of any campus disciplinary proceeding brought at the same time. Both the reporter and respondent in these cases will be notified of various options for changing academic schedules and living situations upon their request.

Sexual harassment can be a profoundly serious matter having far-reaching effects on the lives and careers of individuals. Intentionally false accusations can have a similar impact. The charge of sexual harassment is not to be taken lightly by a charging party, an accused party, or any member of the University community. A person who knowingly and intentionally files a false complaint under this policy is subject to disciplinary action. The employment and educational environment throughout TAMUT shall be free from all forms of sexual discrimination and sexual harassment. Conduct constituting sexual harassment is specifically prohibited and will result in appropriate sanctions. Sexual Harassment is a violation of State and Federal statutes.

Further definition and clarification are found in System Policy 08.01.01 Civil Rights Compliance. This policy may be viewed [here](#) or may be obtained through the Human Resource/Civil Rights Protection Officer or the Director of Compliance and Risk Management.

In some cases, an informal resolution process will be used in sexual misconduct cases. An informal complaint is intended to result in the resolution of the complaint and an immediate halt of the unwelcome behavior. If the offending behavior does not cease, a formal complaint may be filed in writing with the Human Resource/Civil Rights Protection Officer or the Director of Compliance and Risk Management.

Any student found responsible for violating the policy on Sexual Harassment (where no intercourse has occurred) will likely receive a sanction ranging from probation to expulsion, depending on the severity of the incident, and taking into account any previous campus conduct code violations.

Any student found responsible for violating the policy on Sexual Assault will likely face a recommended sanction of suspension or expulsion.

Any student found responsible for violating the policy on sexual exploitation, or Stalking will likely receive a recommended sanction ranging from a warning to

expulsion, depending on the severity of the incident, and taking into account any previous campus conduct code violations.

The University reserves the right to take whatever measures it deems necessary in response to an allegation of sexual misconduct to protect students' rights and personal safety. Such measures include, but are not limited to, modification of living arrangements, interim suspension from campus pending a hearing, and reporting the matter to the local police. Not all forms of sexual misconduct will be deemed to be equally serious offenses, and the University reserves the right to impose different sanctions, ranging from a verbal warning to expulsion, depending on the severity of the offense. The University will consider the concerns and rights of both the complainant and the respondent of sexual misconduct.

Guidelines or Suggestions to Follow After an Incident of Sexual Assault, Sexual Harassment, Dating Violence, Domestic Violence or Stalking

If a student or an acquaintance is a reporter of an act of sexual assault, domestic violence, dating violence, or stalking, the following may serve as a resource for receiving and connecting to services:

- **Get to a Safe Place** – the reporter should seek a safe location such as an apartment/home, residence hall, or the residence of a trusted friend or relative.
- **Contact the University Police or 911** – The reporter may choose to file a report with the University Police Department or the local Texarkana Texas Police Department. The reporter may also choose to file a report with the University Title IX Office.
- Get Medical Attention as Soon as Possible.
- **Try to Preserve all Physical Evidence.** Place clothing in a paper, not a plastic bag. Save text messages, social networking pages, e-mails, pictures, or other documents that might be useful to police or investigators.
- **Write it Down** - You should try to write down as much information about the circumstance of the incident including a description of the suspect.

The TAMUT Police Department is located in the Central Plant Building or can be reached by calling 903-334-6611. Any member of the University staff or faculty can help direct the reporter to call the University Police or the local police department. The police may conduct an investigation based on potential criminal activity related to the situation reported, but please be aware that a police investigation is not the same as an investigation through the Title IX Office. You

may file complaints simultaneously with the Police and the Title IX Office. The reporter also has the right to decline to call the University Police or local police.

Medical Treatment

Seek medical treatment as soon as possible. The reporter's health and safety are the most crucial factor. A doctor or nurse can check for injuries that may not be visible and can treat for possible sexually transmitted diseases. Hospital staff may also perform a sexual assault exam to collect evidence. This exam can be completed even if the reporter chooses not to involve the police and file a report. This exam will help preserve evidence in case the reporter decides to file a police report at a later date. The reporter may also elect to go to their own family care physician for medical assessment and treatment. Medical professionals are not required to call law enforcement because an adult patient they are treating has been sexually assaulted (if the reporter is a minor, they will have to call the police). Reporters of domestic violence and dating violence should also see a doctor for treatment and documentation of injuries received.

If the reporter elects to have a sexual assault examination, they should do their best to preserve evidence. Do not shower, bathe, eat, drink, wash hands, or brush teeth until after the exam.

If the reporter believes he or she was drugged, he or she should wait to urinate until arriving at the hospital. However, if the reporter cannot wait to collect his or her first urine at a local medical facility, the reporter should collect urine in a clean container with a lid and take it to the emergency room or police station.

Both CHRISTUS St. Michael Hospital Emergency Room and Wadley Regional Medical Center Emergency Room have Sexual Assault Nurse Examiners who can provide a forensic examination.

Their addresses are listed below:

CHRISTUS St. Michael Hospital

2600 St. Michael Drive

Texarkana, TX 75503

Wadley Regional Medical Center

1000 Pine Street

Texarkana, TX 75501

Confidentiality and Privacy

Confidentiality

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

Confidentiality and Licensed Counseling Staff

Students and employees have the option to disclose information confidentially to individuals designated as confidential employees. Licensed counselors and licensed health care personnel who receive reports when acting in this capacity as part of their official employment will not reveal the information to any third party except when an applicable law or a court order requires or permits disclosure of such information. For example, information may be disclosed when: (i) the individual gives written consent for its disclosure; (ii) there is a concern that the individual will likely cause serious physical harm to self or others; or (iii) the information concerns conduct involving suspected abuse or neglect of a minor under the age of eighteen. Additionally, confidential employees will not report to the institution except as required by law. Publicly available recordkeeping must not include personally identifying information. Incidents are shared in a way that does not identify the individuals. For example, licensed healthcare providers share de-identified information related to crimes that may be statistics in the Clery Annual Security and Fire Safety Report and/or disclosed in the daily crime log without identifying the individuals concerned.

The Student Counseling Center can be reached at 903-223-3186 during office hours to schedule appointments and receive general information. Currently enrolled students can access Student Health Services after business hours at 903-276-8276 to speak to licensed health care personnel. For employees, the Life/Work Solutions Program (TAMUT Employee Assistance Program) can be reached at 866-301-9623.

Each are confidential, licensed mental health counseling services available to either students or employees and the employee's benefits-eligible dependents, respectively.

Privacy

The University will weigh the request for privacy and respond with the below considerations:

1. Confidential Reporters. Confidential Reporters are the Counselors in the Student Counseling Center. Confidential Reporters are required to provide general non-identifying information as required to comply with the Clery Act and must report to the Title IX Coordinator any type of sex-based incident made known to them but may not include any information that would violate that person's expectation of privacy. Exceptions to confidentiality/privacy include reports of child abuse, abuse, or neglect of disabled or elderly persons, and when a party poses an imminent danger to themselves or others.
2. A report to a university employee is a report to a "responsible employee" which requires disclosure to the university's Title IX Office. A complainant will be afforded privacy and confidentiality to the extent possible under the law, including a request that no investigation be conducted. The University's determination will weigh the request against any reasonably foreseeable risk to the health and welfare of the community, whether there have been multiple allegations, and/or the seriousness of the allegation. The University must inform the complainant of its intention to investigate or comply with the request not to investigate.
3. If the University honors the request for privacy, a reporter must understand that the University's ability to meaningfully investigate the incident and pursue disciplinary action against the alleged respondent(s) may be limited.

There are times when the University may not be able to honor a reporter's request in order to provide a safe, nondiscriminatory environment for all students.

1. The University has designated the following individual(s) to evaluate requests for privacy once a "responsible employee" is on notice of alleged sexual assault:
 - A. Title IX Coordinator
 - B. Two Title IX Deputy Coordinators

2. When weighing a reporter's request for privacy or that no investigation or discipline be pursued, such individuals will consider a range of factors, including the following:
 - A. The increased risk that the alleged respondent(s) will commit additional acts of sexual abuse or other violations.
 - B. Whether there have been other sexual violence complaints about the same alleged respondent.
 - C. Whether the alleged respondent(s) has a history of arrests or records from a prior school indicating a history of violence.
 - D. Whether the alleged respondent(s) threatened further sexual violence or other violence against the reporter or others.
 - E. Whether multiple respondent(s) committed the sexual violence.
 - F. Whether the sexual violence was perpetrated with a weapon.
 - G. Whether the reporter is a minor.
 - H. Whether the University possesses other means to obtain relevant evidence of sexual violence (e.g., security cameras or personnel, physical evidence, University Police Department reports).
 - I. Whether the reporter's report reveals a pattern of behavior (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.
3. The presence of one or more of these factors will lead the University to investigate and, if appropriate, pursue disciplinary action. If none of these factors are present, the University will likely respect the reporter's request for privacy.
4. If it is determined that the reporter's privacy cannot be maintained, the reporter will be notified in writing prior to starting an investigation and will, to the extent possible, only share information with staff responsible for coordinating or conducting the investigation.

Resources, Rights, and Options

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. Available assistance is also covered through prevention and awareness education. Additional information about any of the resources, rights, and options

discussed in this section can be requested from official contacts (such as the Office of Student Affairs, Student Counseling Services, Human Resources, and the University Police Department).

Legal Rights and Options

Protective Order: In addition to the option of pressing criminal charges against a respondent, the victim may apply for a legal order of protection from a court. A protective order protects complainants of dating violence and domestic violence by ordering the respondent not to commit further acts of violence against the complainant; not to harass, threaten, annoy, alarm, abuse, torment, or embarrass the complainant; not to communicate with the complainant in a threatening or harassing manner; and to stay away from the complainant's residence, work, or school. An application for a protective order is free. If the complainant is 18 years old or older, the complainant can seek a protective order for himself or herself. If the complainant is under eighteen, the complainant can have any adult apply for one on their behalf. To apply for a protective order for dating violence, the respondent must be someone s/he is dating, or someone s/he used to date, and s/he must have physically harmed the complainant or attempted or threatened to harm the complainant physically. The application for a protective order must be filed in the county in which the complainant or the respondent lives. The court will grant a protective order once the complainant proves that dating violence has occurred and that it is likely to occur again. Should the complainant choose to seek out a protective order, the complainant may apply for one through the Domestic Violence Unit at the Bowie County District Attorney at 903-735-4800.

Criminal Trespass Warning: A criminal trespass warning is an interim protective measure issued by University Police Department 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 the University Police Department at 903-334-6611 and ask to speak with an officer. The University Police Department 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 University Police Department policy. When the warning is issued, the officer is responsible for providing notice to the requestor and the person receiving the warning. If a criminal trespass warning is violated, the University Police Department should be contacted immediately at 903-334-6611. 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 the University Police Department for a responding officer when they become aware of a potential violation of a criminal trespass warning. The University Police Department generally enforces these warnings by charging violators with criminal trespass resulting in an arrest and/or fine.

If the complainant, alleged offender, or member of the university community has obtained an order of protection, civil no-contact order, or any other measure against another member of the university community, the order should be provided to the official contact or designee. In conjunction with the University Police Department and other university officials, the official contact or designee will take all reasonable and legal actions to implement the order.

Other Legal Options: The University Police Department 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/crime-victims/crime-victims-compensation-program>

Local Resource Directory:

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

Law Enforcement:	Phone	Address	Website
TAMUT University Police	903-334-6611	Central Plant, 7101 University Ave, Texarkana, TX 75503	https://www.tamut.edu/university-police/index.html
Texarkana Texas Police Department	903-798-3116	100 N. Stateline Ave. #16, Texarkana, TX 75503	https://www.texarkanatexas.gov/393/Police-Department
Texarkana Arkansas Police Department	903-798-3130	100 N. Stateline Ave. #17 Texarkana, TX 75501	http://arkpolice.txkusa.org/
Counseling and Mental Health:			
TAMUT Student Counseling Center	903-223-3186	Suite 420, 4 th Floor of University Center, 7101 University Ave, Texarkana, TX 75503	https://tamut.edu/campus-life/Counseling-Center/index.html

Life/Work Solutions Counseling	1-888-993-7650	Employee Assistance Program - See website for details.	https://tamut.edu/administratio n/human-resources/benefits/eap.html
Southwest Arkansas Counseling & Mental Health Center, Inc.	870-773-4655	2904 Arkansas Blvd. Texarkana, AR 71854	https://www.swacmhc.com/home.html
The Trevor Project (LGBTQ Support Organization)	1-866-488-7386 (24hr hotline)	National Organization – See website for details.	https://www.thetrevorproject.org/
Student Affairs Office Support Services			
Title IX Coordinator	903-334-6755	Compliance Office University Center, Room 414K 7101 University Avenue, Texarkana, TX 75503	http://catalog.tamut.edu/student-affairs/titleix/
Deputy Title IX Coordinators	903-223-1351 & 903-223-3012	Office of Student Life, UC Suite 125 & Human Resources, CP 163 7101 University Avenue, Texarkana, TX 75503	http://catalog.tamut.edu/student-affairs/titleix
Medical and Health Services:			
Family Medical Group	903-831-6848	See website for details.	http://fmgoftexarkana.com/index.html
CHRISTUS St. Michael Health System	903-614-1000	2600 St. Michael Drive Texarkana, TX 75503	https://www.christushealth.org/st-michael
Wadley Regional Medical Center	903-798-8000	1000 Pine Street Texarkana, TX 75501	https://wadleyhealth.org
Support, Advocacy, and Legal Assistance			
Spectrum (TAMUT Student Organization & Support Group for LGBTQ Community & Allies)	TBA	TBA	See Office of Student Life for details.

Rape Crisis Center	903-793-4357	424 Spruce Street, Texarkana, TX 75501	https://www.dvptxk.org/
National Domestic Violence Hotline	1-800-799- SAFE	See website	http://www.thehotline.org/
Family Violence Legal Line	1-800-374- HOPE	See website	https://www.texasadvocacyproject.org/free-legal-services/legal-phone-lines
National Law Hotline	1-800-777- FAIR	See website	https://guides.sll.texas.gov/legal-hotlines
National Sexual Assault Hotline	1-800-656-4673	See website	http://www.txnd.uscourts.gov/texas-advocacy-project/help/national-sexual-assault-hotline
Sexual Assault Legal Hotline	1-888-296- SAFE	See website	http://www.txnd.uscourts.gov/texas-advocacy-project
Texas Department of Family Services	1-800-252-5400	See website	https://www.dfps.state.tx.us/About_DFPS/default.asp
Bowie County District Attorney	903-735-4800	601 Main Street, Texarkana, TX 75501	http://www.co.bowie.tx.us/page/bowie.district.attorney
Visa and Immigration Assistance			
TAMUT International Student Services	903-334-6752	University Center 132	https://tamut.edu/academic-affairs/international-studies/index.html
U.S. Citizenship and Immigration Services	1-800-375-5283	126 Northpoint Dr., Houston, TX 77060	https://www.uscis.gov/about-us/find-a-uscis-office/field-offices
Texas Workforce Commission	903-794-4163	1702 Hampton Rd., Texarkana, TX 75503	http://www.twc.state.tx.us/
Student and Financial Aid			
TAMUT Office of Financial Aid	903-334-6601	BASS 125	https://www.tamut.edu/enrollment-services/financial-aid/index.html

TAMUT Veterans Services	903-334-6602	BASS Suite 132	https://tamut.edu/enrollment-services/veterans-services/index.html
Federal Student Aid Call Center	1-800-433-3243	N/A	https://studentaid.gov/

Investigations and Disciplinary Proceedings for Sexual Assault, Dating Violence, Domestic Violence, and Stalking

The victim of sexual assault, domestic violence, dating violence, or stalking may choose for the investigation to be pursued through the criminal justice system, the campus disciplinary system, or both. All proceedings will be prompt, thorough, and equitable.

The University Police Department, with the victim’s consent, will immediately conduct a criminal investigation of these types of incidents. Completed investigations will be forwarded to the District Attorney’s office for review and possible prosecution. The University can change a victim's academic and living situations after an alleged offense by making special accommodations such as distant learning options if those changes are requested by the victim and are reasonably available. If the victim needs additional support during this time in the form of counseling support, alternative on-campus housing options, or academic accommodations, please contact Title IX Coordinator at 903-334-6755 so a staff member may work with the victim in a timely way to provide assistance. Assistance regarding these accommodations or protective measures will be kept confidential to the extent that it does not impair the university in its ability to provide the accommodations or protective measures.

Individuals may also report a sex offense to the University’s Title IX Coordinator. This individual is responsible for coordinating the University’s compliance with Title IX. The Title IX Coordinator’s office is located in the University Center Building, Room 414K, which is located at 7101 University Ave., Texarkana, Texas, 75503. The Title IX Coordinator can be reached at 903-334-6755. Whether a complaint is received by the UPD or Title IX Office, the complainant will receive a written explanation of their rights and options.

University disciplinary action may be imposed on individual students, recognized student organizations, and/or University faculty and staff found in violation of the University sexual misconduct policy. In addition to any criminal prosecution, students may be placed on probation, suspended, or expelled, for committing

violent or criminal acts on-campus or at campus-related events. University disciplinary proceedings are detailed in the Texas A&M University- Texarkana Student Code of Conduct, located here:

<https://tamut.edu/campus-life/Student-Conduct/21-22%20Code%20%20aug%2027.pdf>

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

What happens when the police are called?

Police units will respond immediately. An ambulance or a police officer will transport the victim to the emergency room of the local hospital. The police will properly gather all evidence. A physical examination is necessary to take care of obvious and/or hidden physical injuries and document this evidence for possible criminal prosecution. If a sexual assault occurred, this would provide the opportunity for the victim to discuss with a physician potential pregnancy or communicable disease concerns. The TAMUT counselor will respond and can provide support and education to the victim.

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

Additional Law Enforcement Information:

In Texas, sexual assault (rape) is an offense that ranges from a second-degree felony to a first-degree felony punishable by a sentence ranging from two to ninety-nine years in prison and a fine of up to \$10,000.

University Disciplinary Process

Prohibited Conduct

The following misconduct is subject to disciplinary action. If a student, faculty member, or staff member has knowledge of a person(s) violating The Code or University Rules, he/she should submit knowledge of this alleged action in writing by completing an Incident Report Form, which is available online [here](#), or at the Office of Student Life, UC Room 125.

Offenses against persons include, but are not limited to:

1. Intentionally or recklessly causing physical or emotional harm to any person, including self, on University property or at University-sponsored activities off campus, and includes intentionally or recklessly causing reasonable apprehension of such harm.
2. Harassing another person, attempting, or threatening to subject another person to violent physical contact, engaging in a course of conduct, or repeatedly committing acts that threaten, or create reasonable apprehension for another person.
3. Stalking is a course of conduct directed at a specific person that would cause a reasonable person to have fear. Course of conduct is defined as “a pattern composed of more than one act over a period of time, however short, evidencing a continuity of conduct.”
4. Engaging in sexual misconduct, as defined, and outlined in the Sexual Misconduct Policy.
5. Taking any action or creating any situation that recklessly or intentionally endangers the mental or physical health of self or others or involves the forced consumption of liquor or drugs from self or others for the purpose of initiation into or affiliation with any organization or group.
6. Intentionally exposing genitals, buttocks, or breasts in a public place on campus.

Disciplinary Procedures

1. Administration: The Assistant Vice President of Student Life has primary authority and responsibility for the administration of student discipline. The Assistant Vice President of Student Life may delegate this authority to residence life staff, the PanHellenic Council, Residence Hall Association, or other Judicial Officers as appropriate.
2. Misconduct Complaint: Any person, including visitors, parents, or alumni may file a complaint alleging student misconduct. Complaints can be filed verbally at the Office of Student Life, room 125 University Center, via email or by completing an Incident Report Form, which is available online at <https://cm.maxient.com/reportingform.php?TAMUTexarkana> or via email, or in person at UC suite 125.
3. Misconduct Notice: When, because of a complaint by a member of the University community or because of a disciplinary investigation, there is reason to believe a student/student organization has violated the Code of Conduct, the student/student organization will be notified, simultaneously

as the accuser, in writing via official university email account (Ace mail). The student/student organization must respond as required by the notice.

4. Informal Hearings: Cases not involving the sanctions of dismissal or suspension from the university may be heard informally, with notice and the opportunity to be heard afforded students/student organizations. An adjudication officer, appointed by the Assistant Vice President of Student Affairs, will discuss the charges with the student/student organizations and afford the student/student organization an informal hearing. Should the adjudication officer find justification, an appropriate disciplinary sanction will be issued.

Should the student or student organization deny the charges, or the adjudication officer finds that the charges require further examination or should the alleged misconduct merit consideration of suspension or dismissal, the matter will be referred for a formal hearing.

5. Formal Hearings: The University's procedure for formal hearings includes:
 - A. Written notice of charges containing a description of the alleged acts of misconduct, including (when available) time, date, and place of occurrence; and the rules of conduct allegedly violated by the student/student organization;
 - B. Written notice of the date, time, and place of the hearing, unless such right is waived in writing by the student/student organization;
 - C. A sufficient interval between the date of notification of charges and the date of the hearing, to allow the student/student organization to prepare a defense;
 - D. An opportunity to submit written, physical, and testimonial evidence, and to review evidence in support of the charged offense;
 - E. The hearing body may consist of a panel or individual appointed by the Assistant Vice President of Student Affairs;
 - F. Maintenance of a written summary or audio record of the hearing at University expense, though students/student organizations may be required to pay the cost of copies of the records;
 - G. A decision based upon a preponderance of the evidence standard, i.e., sufficient to make a reasonable person believe that the charged offense is more likely true than not true;
 - H. A written decision generally will be issued within ten (10) business days of the proceeding,
 - a. In cases of alleged sexual misconduct, the reporting party will be informed of the investigation report and hearing outcome at the same time as the responding party; and

- I. A respondent is entitled to an advisor of their choice, counsel, or parent at any meeting during the process. The advisor of their choice, counsel, or parent may only consult and interact privately with the student, but he/she will not be allowed to address the investigator or hearing board. In cases of alleged sexual misconduct, the reporting party is entitled to have an advisor of their choice, counsel, or parent at the hearing.
6. Conduct of Hearings:
 - a. The conduct of hearings shall be committed to the University, which may make all rules reasonable and necessary for the orderly and efficient disposition of cases.
 - b. Conduct hearings are closed to the public and only those directly involved with the hearing may attend.
 - c. The conduct of hearings shall ensure that the responding student/student organization has a reasonable opportunity to answer, explain, and respond to all charges.
 - d. The University shall have the burden of proof in all cases.
7. Waivers: A student, through a written statement, may waive his or her rights to a hearing.
8. Appeal Procedures: An appeal is not simply a rehearing of the original case, but a review of the official record and the written statement of appeal provided by the student. An appeal must comply with this Code. It must assert at least one recognized basis for appeal (See Section 9), supporting evidence, and argument in support of the basis for appeal. The appeal must be presented to the Assistant Vice President of Student Affairs' office within ten (10) business days of receipt of notice of sanctions.
9. Grounds for appeals: Both parties will simultaneously receive written notification of the procedure to appeal. An appeal must meet one or more of the following grounds to be considered:
 - a) procedural error or omission occurred that significantly influenced the outcome of the hearing.
 - b) sanction was not appropriate to the violation and/or
 - c) Significant information is shown on appeal that was not available at the time of the administrative meeting, could not have been obtained for the presentation during the meeting by the student's exercise of reasonable diligence, and materially affects the findings or sanctions.
10. Appeals for cases that do not involve suspension or expulsion: An appeal will be delivered to the Assistant Vice President of Student Life within (10) ten days of receipt of notice of sanctions. The Assistant Vice President of

Student Life will decide whether to hear the case or send it to an Appeal Panel. Should the Assistant Vice President of Student Life hear the case, he/she will review the file and determine whether to approve, reject, or modify an earlier decision or the consequences recommended or imposed within ten (10) business days of receipt of the appeal unless extenuating circumstances apply.

11. Appeals for cases of suspension or expulsion: The appeal will be forwarded by the Assistant Vice President of Student Life to the Office of the Vice President for Student Enrollment, Engagement and Success. The Vice President for Student Enrollment, Engagement and Success will decide whether to hear the case or send it to an Appeal Panel. Should the Vice President for Student Enrollment, Engagement and Success hear the case, he/she will review the file and determine whether to approve, reject, or modify an earlier decision or the consequences recommended or imposed within ten (10) business days of receipt of the appeal unless extenuating circumstances apply.

Should the Vice President of Student Enrollment, Engagement and Success decide to send the case to an Appeal Panel, the following procedures will apply:

- a) The Appeal Panel shall consist of three members of the University: one faculty member, one staff member, and one student member.
 - b) An Appeal Panel will normally be convened within twenty (20) business days following notification from the Assistant Vice President of Student Affairs.
 - c) The Panel shall review the file and recommend to the Appeal Officer whether to approve, reject, or modify an earlier decision or the consequences recommended or imposed. A majority vote will be required in all decisions.
 - d) The Appeal Officer will inform the Assistant Vice President of Student Life of the decision in writing and provide these findings and sanctions to the student/student organization and accuser simultaneously in writing within ten (10) business days.
 - e) The Assistant Vice President of Student Life shall implement the decision of the Appeal Officer. The decision of the Appeal Officer will be final, and the sanction(s) imposed will stand.
12. Interim Action/Interim Suspension Except in cases where the Vice President for Student Enrollment, Engagement and Success or deems interim action necessary or appropriate, the status of a student should not be altered, nor their right to be present on campus and to attend classes

suspended prior to a disciplinary meeting. The Assistant Vice President of Student Life may order that a student be immediately excluded from classes, University facilities (including University Housing), or denied privileges and participation in activities when the student's continued presence may constitute an unreasonable risk of harm to the university community. An interim action will be preceded by notice to the affected student as promptly as reasonably possible. The notice will state the basis for the interim action and provide information for requesting a hearing to determine the merits of the interim action. If it appears that the student's behavior warrants a medical withdrawal, the Vice President for Student Enrollment, Engagement and Success or Assistant Vice President of Student Life may initiate the appropriate measures.

13. The University may take the following interim actions:

- a. Place a hold on the student's registration, transcripts, new awards of financial aid, and/or other University records until the case is adjudicated when the following circumstances occur:
 - i. The student has failed to respond to requests for information from the University;
 - ii. The student has failed to appear for the hearing; or
 - iii. The alleged conduct may pose an unreasonable risk of harm to the University community.
- b) When a student has pre-registered for a term after the one in which the hold is placed, the University may also revoke the registration of the student.
- c) When allegations implicate a student and their qualifications to graduate, such as allegations of academic fraud or serious allegations of misconduct, the University may defer graduation until the charges are determined.
- d) The decision to place a hold on registration, revoke registration, or delay graduation may be appealed to the Vice President for Academic Affairs. The University may impose reasonable conditions on release of the hold.
- e) In addition to the actions described above, the following actions may also be taken:
 - i. Order that the student/student organization be immediately denied University privileges and be excluded from activities on the campus when the student/student organization's continued activity on the campus may constitute an unreasonable risk of harm to the campus community.
 - ii. Issue a No Contact Order in cases involving allegation of assault, injury, harassment, or where there is reason to believe continued contact between the accused student or organization members and

other specific persons, including reporting parties and witnesses, may interfere with those persons' security, safety or ability to participate effectively in work or studies, the Assistant Vice President of Student Affairs, the Residence Life Coordinator or Chief of the University Police Department may order that the accused student/student organization members not have contact with specific persons. The student/student organization will receive written notice of the "No Contact Order."

- iii. Impose an interim suspension from specific locations on campus or the entire campus if it is believed that continued presence on the campus, or in certain areas of the campus, might be disruptive to, or pose an unreasonable risk of harm to the University community.

14. Sanction Guidelines: If a student or student organization is found responsible for a violation of The Code, the Conduct Officer will determine the sanction(s) to be imposed. The following sanction guidelines are intended to be a recommended format:

- a. Disciplinary Warning: An official written notification that the student or student organization's conduct is in violation of the University's Code of Conduct and specifies expectations for the future. Further misconduct may result in more serious sanctions.
- b. Disciplinary Probation: This probationary condition remains in effect for a specified period and may involve the loss of specified privileges. Further violation of University rules during the probationary period will be viewed as not only a violation based upon the act itself but also as a violation of the probation, which may result in further action up to and including suspension or dismissal.
- c. Suspension: Suspension terminates the student's enrollment at the University for a specified period of time. Completion of specified stipulations may be required for readmission at the end of the suspension period.
- d. Suspension in Abeyance: Although the behavior may warrant suspension or expulsion from the University, due to extenuating circumstances, the Judicial Officer may choose to hold the student or student organization's suspension in abeyance for a specified period of time. When a suspension is held in abeyance, the student or organization may remain at the University provided they comply with the Code of Conduct and any education sanctions. Further violation of The Code may result in immediate Suspension or Expulsion.

- e. Suspension of an organization from the University for a specified period: The organization will lose its privileges as a registered student organization and can no longer be an active participant in the University for the duration of suspension.
- f. Expulsion: Expulsion permanently separates a student from the University without opportunity to re-enroll in the future. Expulsion of a student organization entails a permanent separation from the University. The imposition of this sanction is a permanent bar to the student organization's registration and privileges.
- g. Other Sanctions: Other appropriate sanctions may be imposed singularly or in combination with any of the above-listed sanctions. Examples include but are not limited to, fines, restitution for property damage or misappropriation of property or services of the University or any person, University Housing contract termination or reassignment to another room, restriction of access to specified campus facilities and/or property, research assignments, criminal trespass notices, campus service projects, special workshop participation and/or no contact orders.

Written Request

The University will disclose to the alleged reporter of a crime of violence or non-forcible sex offense, the results of any disciplinary hearing conducted by the University against the student who is the alleged perpetrator of the crime or offense. If the alleged reporter is deceased as a result of the crime or offense, the institution will provide the results of the disciplinary hearing to the reporter's next of kin, if requested in writing.

Transcript Notations

Texas law and Texas A&M System policy 11.99.02 requires that an annotation be made on a student's transcript who is "ineligible to reenroll in the institution for a reason other than an academic or financial reason." Additionally, TAMUT is required to note Suspension and Expulsion on a student's transcript that has been suspended or expelled from the university for a violation of the Student Code of Conduct. Notations for suspensions will be active during the effective dates of the separation. Expulsion from the University will be permanently placed on the transcript unless the institution determines that compelling cause exists to remove the notation. If a student is suspended or expelled from the University, he/she will not be eligible for reimbursement of funds.

Prevention and Awareness Programs

The University Police Department in conjunction with Student Life, Athletics, SSC, and the Environmental, Health & Safety Office provides the following services to promote crime prevention and security awareness on campus:

- National Night Out Event
- Crime prevention tips to staff and students via Facebook and the Office of Communications
- Regular reports on inoperable exterior and interior lights, overgrown shrubbery, unsecured or inoperable doors, and locks
- Outdoor phones (Blue Boys) for emergency calls on campus
- 911 lines connecting every phone to police
- Responding to calls for service (2,664 in 2022)
- Police patrols 24 hours a day, 7 days a week
- Residence Hall staff and University Police Department make nightly rounds of residence hall
- Safety programs offered throughout the year
- Daily Crime and Fire Log
- UPD Engraver available so that students can mark their property in case of theft.

Security Awareness and Crime Prevention Programs and Education

It is our goal to provide a safe and crime-free campus so that students, faculty, and staff can focus on education and overall quality of life. In addition to the services provided by University personnel, the University hosts several security awareness programs and provides students with safety tips and instructions on how to prevent crime, and also how to report a crime. The University Police Department also conducts several Q&A sessions with parents, staff, and faculty regarding campus life, reporting crimes, and general safety tips. Students, employees, and visitors must also assist the university, being responsible for their own safety and the safety of others. The University attempts to equip individuals to do so with education and training regarding "Bystander Intervention."

Current Programs*

UPD Facebook Page

- Periodic posts regarding the monthly focus (Security Awareness, Campus Crime Prevention, VAWA, National Campus Safety, Domestic Violence, Alcohol Awareness, and Bystander Intervention).

CRASE (Civilian Response to Active Shooter) Training

- This training is available to all students and employees of TAMUT. The training course covers the Avoid, Deny, Defend strategy to help survive an active shooter event. Multiple sessions are provided throughout the year.

UPD Introduction to Parents and Students

- This session discusses UPD's general job description and services offered such as flat assist, battery boosts, and lock picking. Drugs and alcohol are also discussed with the consequences of being caught on campus explained to both students and parents.

Safe Eagles Session

- This session, hosted by the University Police Department, goes over critical information everyone needs to know in the unlikely event of an emergency situation on campus. Covering topics from active shooter response to weather-related emergencies, this session will give you the "need to know" so that you will know how to respond if there is an emergency.

Location-based Personal Safety (as requested)

- Faculty, Staff, and Students can request one-on-one meetings with Chief Serrano or a UPD Officer to visit their on-campus location to review their evacuation options and teach best practices for personal safety and self-defense using the items present in their offices or dorm room.

See Something, Say Something

- Training is provided to all students living in the Residence Hall, which aims to remind students that Residential Advisors are available to help with safety concerns. It is reinforced that residents should report any issues to staff so that other residents can receive aid and support.

Campus Resource & Prevention Conversations

- Campus resource and prevention conversations with University Police Chief and Assistant Vice President of Student Affairs, to discuss crime prevention strategies, campus resources, and sexual assault resources.

Step Up! It's on us!

- Aims to educate and reshape attitudes and behaviors toward social interactions. This program wants to counteract the bystander effect on the campus and train and teach students how to do so.

So You're an Adult Now..." Game Show

- This event, hosted by First Year Experience, covers campus crime prevention and bystander intervention in a Family-Feud style role-playing game

"Poetry as Protest" a Spoken Word Workshop

- Students discuss topics addressing hate crimes using poetry

"Be A Difference Maker" Keynote with Kathryn Montgomery

- This session addresses topics such as sexual assault prevention, discrimination, and bystander intervention for incoming first-year students

Alcohol and Illegal Drug Abuse and Prevention Programs and Education

Current Programs:

TAMUT is committed to a drug-free environment and protecting the safety, health, and well-being of all employees and students. The University will act to ensure compliance with all local, state, and federal laws and System policies dealing with controlled substances, illicit drugs, and use of alcohol.

Tobacco Impact on Athletic Performance (January 27, 2016 – June 30, 2025)

- Online training for Student Athletes

Dietary Supplements & Sports Nutrition (January 25, 2016 – June 30, 2025)

- Online training for Student Athletes

Alcohol Impact on Athletic Performance (January 27, 2016 – June 30, 2025)

- Online training for Student Athletes

Drug Prevention (January 27, 2016 – June 30, 2025)

- Online training for Student Athletes

Soccer with Drunk Goggles

- This event seeks to raise awareness and provide tips on how to remain safe around alcohol. Students must wear disorientating drunk goggles while playing soccer. Drunk goggles mimic what it is like to be drunk, and help individuals understand (when they are in a sober state of mind) how being drunk affects their body and brain.

The S#!\$ I wish I knew In College - Discussion Panel

- This event is hosted by the campus activities board and encourages students to discuss topics such as drug and alcohol abuse and prevention in college.

“Awareness” Poster Series

- Poster series for students residing on campus in Bringle Lake Village. Posters included information on drug and alcohol abuse and prevention strategies.

Student Organization Risk Management Training

- Training session is mandatory for all student organization Presidents and Advisors and is available to any student organization members that wish to complete it. The training addresses abuse and prevention awareness for illicit drugs and alcohol, sexual abuse and harassment, and hazing.

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

It is the policy of Texas A&M University-Texarkana that the University will not tolerate physical abuse, threats of violence, physical assault, or any form of sexual assault or abuse including, but not limited to, acquaintance or date rape, domestic violence, dating violence and/or stalking.

Current Programs:

New Student Title IX Training

- This event is required for all first-year students. This training defines Sexual Assault, Sexual Exploitation, Stalking, Dating Violence, and Domestic Violence, establishes what the community standards are for Sexual Harassment, defines Consent, and includes examples of people that are unable to give consent (individuals asleep, mentally or physically incapacitated, etc.), reports A&M – Texarkana’s requirements for investigating allegations of Title IX violations, and lists who to contact if you have questions or want to report a violation of Title IX or the Student Code of Conduct.

Sexual Awareness and Prevention Week

- Events include Donut You Know Your TAMUT Resources, an opportunity to enjoy complimentary donuts and coffee while getting to know TAMUT’s

Clery Compliance Officer, Title IX Director, UPD and Counseling team; TAMUT Denim Day where the campus community wears denim to show support for victims of sexual assault; TEAL Day, where the campus community wears teal, participates in an awareness walk around the lake, and a flower release for victims of sexual assault.

Campus Resource & Prevention Conversations

- Campus resource and prevention conversations with University Police, students, and Director of Student Life, to discuss crime prevention strategies, campus resources, and sexual assault resources.

Wellness After Dark

- This event allows students in our Bringle Lake Village Residence Halls to participate in an open conversation with each other about sexual assault.

Word Mental Health Day Table

- Chi Sigma Lota addresses sexual assault and alcohol abuse prevention with an informational distributional activity.

Orientation and Hatch Camp sessions (by semester)

- Counseling Services and UPD present informational materials on campus safety and sexual assault to incoming students and parents.

Women's Health Workshop

- In partnership, Omega Chi and C.R.O.W.N. host a Women's Health Workshop in which various topics such as Taking a Pause, Toxic Relationships, Physical Health, and Finances are discussed.

TrainTraq Seminars (as scheduled)

Ethics and Discrimination-free training are provided to all TAMUT employees, with refreshers required every two years. Title IX presentations are also included in new hire orientation.

Bystander Intervention and Risk Reduction

Bystander Intervention is defined as the willingness to take action and help someone in a time of need. Safe and positive options for Bystander Intervention will be in place for an individual who intervenes to prevent harm when there is a risk of sexual assault, domestic and dating violence, and stalking against another person. Education programs for sexual assault, domestic and dating violence, and stalking will also include ways to become active bystanders. We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm.

Education programs for sexual assault, domestic and dating violence, and stalking will also include ways for risk reduction. With no intent to victim blame and recognize that only rapists are responsible for rape, the following are recommended strategies to reduce one's risk of sexual assault or harassment.

1. Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of an unpleasant situation.
2. Stay away from isolated areas as it is more difficult to find help if no one is around.
3. Walk with a purpose. Even if you do not know where you are going, act as if you do.
4. Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably is not the best place to be.
5. Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
6. Avoid putting headphones in both ears so you can hear what is going on around you.
7. When you go to a social gathering, go with friends. Arrive together, check in with each other throughout the evening, and leave together. Always keep an eye on your drink and never leave it unattended. Do not accept drinks from people you do not know.
8. Watch out for your friends and vice versa. If a friend seems out of it or intoxicated, get them to a safe place immediately.

Sex Offender Registry

The Federal Campus Sex Crimes Prevention Act requires institutions of higher education to advise the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained.

In the State of Texas, the Texas Department of Public Safety (DPS) is the statewide source of information on sex offenders required by law to register. The DPS Sex Offender Registration open record information may be obtained at this website:

<https://publicsite.dps.texas.gov/SexOffenderRegistry>

In addition, the Texas DPS is required to notify TAMUT if a registered sex offender is enrolled, employed, or carrying on some type of vocation at the University.

In the event that a registered offender(s) is working or enrolled in classes at TAMUT, a list of that person(s) name may be obtained at the University Police Department office in the Central Plant Building.

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: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Consent: Consent is a clear and voluntary agreement to engage in a specific sexual activity. A person who was asleep or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason, or whose agreement was made under duress or by threat, coercion, or force, cannot give consent. Consent is not given if it results from the use of force, threats, intimidation, or coercion.

Consent is established when a reasonable person would consider the words of the parties to have manifested an agreement between them to do the same thing, in the same way, at the same time, with one another. Consent is not given if it results from the use of force, threats, intimidation, or coercion.

A person who does not want to consent to sex is not required to resist. Consent to some forms of sexual activity does not automatically imply consent to other forms of sexual activity. Silence, previous sexual relationships, or the existence of a current relationship do not imply consent. Consent cannot be implied by attire or inferred from the giving or acceptance of gifts, money, or other items. Consent to sexual activity may be withdrawn at any time, as long as the withdrawal is communicated clearly.

Withdrawal of consent can be done in numerous ways and need not be a verbal withdrawal of consent. A student's intentional use of alcohol/drugs will not function as a defense to a possible violation of this rule.

Without Consent, in regard to sexual assault is defined in the Texas Penal Code as:

1. The actor compels the other person to submit by the use of violence;

2. The actor compels the other person to submit by threatening to use violence against the victim or any other person;
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 a mental disease the other person is, at the time of the sexual assault, incapable of appraising the nature of the act;
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. (Texas Penal Code Sec. 22.011)

Additionally, there is a difference between seduction and coercion. Coercing someone into sexual activity violates this policy in the same way as physically forcing someone into sex. Coercion happens when someone is pressured unreasonably for sex.

Because alcohol or other drug use can place the capacity to consent in question, sober sex is less likely to raise such questions. When alcohol or other drugs are being used, a person will be considered unable to give valid consent if they cannot fully understand the details of a sexual interaction (who, what, when, where, why, or how) because they lack the capacity to reasonably understand the situation. Individuals who consent to sex must be able to understand what they are doing. Under this policy, "No" always means "No," and "Yes" may not always mean "Yes." Anything but a clear, knowing, and voluntary consent to any sexual activity is equivalent to a "No."

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

Incest: Non-forcible sexual intercourse between persons who are related to each other within 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; and where the

existence of such a relationship shall be determined based on a consideration of the following factors:

1. the length of the relationship;
2. the type of relationship;
3. the frequency of interaction between the persons involved in the relationship.

An act with the above qualifications that is intended to result in physical harm, bodily injury, or sexual assault, or that is a threat that reasonably places the victim in fear of imminent physical harm, bodily injury, or sexual assault is considered Dating Violence. (Texas Family Code 71.0021)

Domestic Violence: A felony or misdemeanor crime of violence committed by:

1. a current or former spouse or intimate partner of the victim,
2. a person with whom the victim shares a child in common,
3. a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,
4. 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.

Family Violence: (included as domestic violence within the Clery Act) an act, other than a defensive measure to protect oneself, by a member of a family against another member of a family that is intended to result in physical harm, bodily injury, or sexual assault, or that is a threat that reasonably places the family member in fear of imminent physical harm, bodily injury or sexual assault. (Texas Family Code 71.004)

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.

The Texas Penal Code Sec. 42.072 Defines Stalking this way: when a person commits an offense on more than one occasion and pursuant to the same course of conduct directed specifically at another person, knowingly engages in conduct that:

1. The actor knows or reasonably believes the victim will regard as threatening bodily injury or death for the other person; bodily injury or death for a member of the other person's family or for an individual with whom the person has a dating relationship; or that an offense will be committed against the other person's property.

2. Causes the other person, a member of the other person's family, or an individual with whom the other person has a dating relationship to be placed in fear of bodily injury or death or fear that an offense will be committed against the other person's property. Further, it would cause a reasonable person to fear bodily injury or death for themselves; bodily injury or death for a member of the person's family or for an individual with whom the person has a dating relationship; or that an offense will be committed against the person's property.

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 is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary for an injury to result when a gun, knife, or other weapon is used in the commission of the crime.

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

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 Crimes: A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Possible bias categories under the Clery Act include, but are not limited to Race, Gender, Gender Identity, Religion, Sexual Orientation, Ethnicity, National Origin, and Disability. 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.

Possible bias categories are defined as the following:

- **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, Caucasians, or 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.
- **Gender Identity:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender nonconforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as such.
- **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.
- **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 a 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, or because they are married to or associated 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 age, or illness.

Definitions of additional crimes to be considered under the Clery Act if the offense is motivated by bias:

- **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:** Unlawfully placing 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:** To willfully or maliciously destroy, 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 & Referrals for Disciplinary Action

Under the Clery Act institutions must also report arrests and referrals for disciplinary action for liquor law violations, drug law violations, and weapons law violations.

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.

Drug Law Violation: 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—manufactured narcotics that can cause true addiction

(Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Liquor Law Violation: 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.

Clery Act Geography

The Clery Act requires institutions to disclose within their annual crimes statistics disclosure where the crime occurred. In compliance with the Clery Act, TAMUT discloses statistics for reported Clery Act crimes that occur (1) On-Campus, (2) On public property within or immediately adjacent to the campus, and (3) In or On Non-campus buildings or property that TAMUT owns or controls. The On-Campus category combines crime statistics for the On-Campus Student Housing Facility (Residence Hall) and other On-Campus property, such as academic buildings and parking lots. The Residence Hall category reflects only crimes reported as occurring inside the Residence Hall.

On-Campus:

1. 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;
2. and any building or property that is within or reasonably contiguous to the area identified in Section 1 of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

On-Campus Student Housing Facility (referred to as Bringle Lake Village Residence Hall by TAMUT): Any student housing facility that is owned or controlled by the institution or is located on property that is owned or controlled by the institution and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

Non-campus Buildings or Property: Any building or property owned or controlled by a student organization that is officially recognized by the institution; or 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.

Public Property: All public property including thoroughfares, streets, sidewalks, and parking facilities that are within the campus, or immediately adjacent to and accessible from the campus. This includes the sidewalk across the street from our campus but does not include public property beyond the sidewalk.

(See following page for Texas A&M University-Texarkana's Crime Charts)

Texas A&M University-Texarkana Crime Chart

Calendar Years: 2020, 2021, 2022

Criminal Offenses**

Offense	Year	On Campus	Non-Campus****	Public Property	Total	Residential Facility*	Unfounded Crimes
Murder/Non-Negligent Manslaughter	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Negligent Manslaughter	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Rape	2020	1	0	0	1	0	0
	2021	3	0	0	3	1	0
	2022	0	0	0	0	0	0
Fondling	2020	0	0	0	0	0	0
	2021	1	0	0	1	0	0
	2022	1	0	0	1	1	0
Incest	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Statutory Rape	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Robbery	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Aggravated Assault	2020	1	0	0	1	0	0
	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Burglary	2020	1	0	0	1	1	0
	2021	0	0	0	0	0	0
	2022	1	0	0	1	0	0
Motor Vehicle Theft	2020	0	0	0	0	0	0
	2021	0	1	0	1	0	0
	2022	0	1	0	1	0	0
Arson	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0

Chart Continued on Next Page; see end of chart for footnotes.

Texas A&M University-Texarkana Crime Chart, *continued*

Calendar Years: 2020, 2021, 2022

Offenses Reported under the Violence Against Women Act (VAWA) of 1994

Offense	Year	On Campus	Non-Campus ****	Public Property	Total	Residential Facility*	Unfounded Crimes
Domestic Violence***	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Dating Violence***	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2022	0	1	0	1	0	0
Stalking	2020	4	0	0	4	0	0
	2021	3	0	0	3	1	0
	2022	4	0	0	4	2	0

Chart Continued on Next Page; see end of chart for footnotes.

Texas A&M University-Texarkana Crime Chart, *continued*

Calendar Years: 2020, 2021, 2022

Weapons, Drug, and Alcohol Arrests and Referrals for Disciplinary Action

Offense	Year	On Campus	Non Campus ****	Public Property	Total	Residential Facility*	Unfounded Crimes
Liquor Law Arrests	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Drug Law Arrests	2020	1	0	0	1	1	0
	2021	0	2	0	2	0	0
	2022	0	0	0	0	0	0
Weapons Law Arrests	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2020	5	0	0	5	5	0
	2021	7	0	0	7	7	0
	2022	4	0	0	4	4	0
Drug Law Violation Referred for Disciplinary Action	2020	6	0	0	6	6	0
	2021	2	0	0	2	2	0
	2022	1	0	0	1	1	0
Weapons Law Violations Referred for Disciplinary Action	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0

End Notes:

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

**Criminal Offenses are reported under the Hierarchy System in which the highest-level offense is counted within a single incident, with the following exceptions: arson, sexual assault, domestic violence and dating violence. These offenses are counted in addition to the highest-level criminal offense.

***Dating violence is included in the domestic violence statute in Texas, therefore, the distribution between dating violence and domestic violence may vary from year to year depending on law enforcement's classification.

**** Non-campus locations include portions of Texarkana College, the Texarkana College Tennis Courts, Spring Lake Park including George Dobson Field and James Bramlett Softball Field, space leased with Texas A&M forestry Services in Merkle, TX and New Braunfels, TX for a massage therapy program through our Extended Education program, and classroom space rented at Lonestar College for OSHA Safety Courses.

Non-campus locations also include locations where students were housed off-campus during extended stay trips, athletic events, and quarantine housing during the COVID-19 pandemic.

Texas A&M University-Texarkana Crime Chart *continued*

Calendar Years: 2020, 2021, 2022

Unfounded Crimes

Unfounded crimes are crimes that sworn or commissioned law enforcement personnel have investigated and made a formal determination that the report is false or baseless are, therefore, subsequently withheld from Clery crime statistics. Following are the unfounded crimes as reported for Clery Act locations and Clery Act offenses associated with the TAMUT campus:

- Calendar year 2020: 0 unfounded crime
- Calendar year 2021: 0 unfounded crimes
- Calendar year 2022: 0 unfounded crimes

Hate Crimes

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

Offense	Year	On Campus	Non-Campus	Public Property	Total	Residential Facility	Unfounded Crimes
Hate Crimes	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0

This concludes the Crime Chart.

For information about non-Clery reportable crimes, the Texas A&M University-Texarkana Police Department will provide a copy of the Daily Crime Log upon request. Call 903-334-6611 for more information.

TEXAS A&M UNIVERSITY – TEXARKANA
BRINGLE LAKE VILLAGE RESIDENCE HALL
FIRE SAFETY REPORT
2023



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I. Introduction

In August of 2011, Texas A&M University-Texarkana opened its first student housing building at the Bringle Lake campus. The Bringle Lake Village (BLV) Residence Hall is a modern brick and wood structure that will house over 290 students.

II. Fire Safety System

The Texas A&M University-Texarkana campus has an integrated fire alarm system. As additional buildings are built, they will be tied into the existing buildings through one main panel at the University's Central Plant building. Each building has its own fire alarm panel.

All buildings, including the BLV Residence Hall, are equipped with smoke detectors in each dorm room, hallways, stairwells, and common areas. Fire extinguishers are located on each floor of the building. Evacuation maps that show evacuation routes, fire pull stations, and fire extinguishers are on the inside main door of all dorm rooms.

The fire alarm system is monitored 24 hours a day by Siemen's Fire Protection service. Should the alarm go off, Siemen's monitoring will notify the local fire department and then the University Police Department.

All Texas A&M University-Texarkana buildings are protected by a fire sprinkler system. Should a fire ever occur in the BLV Residence Hall, the sprinkler system will go off and should put out any fire in the building.

III. Emergency Fire Evacuation Procedures

1. When you hear a fire alarm – LEAVE the building immediately, closing all doors behind you. Follow the main evacuation route but be prepared to use an alternate route.
2. If you must evacuate through smoke, get low to the floor and crawl. Heat and deadly smoke rise and cleaner air will be 12-24 inches above the floor. If you must open doors while evacuating, test the door before opening. Use the back of your hand to touch the door, the doorknob, and door frame. If they are hot, do not open the door. If they are cool, brace yourself against the door and slowly open it. If smoke and heat are present, close the door and use an alternate route.
3. Use stairways, never an elevator. In a fire, elevator shafts may fill with smoke, or the power may go out leaving you trapped.

4. Once outside, assemble at your designated area and do not return to the building until the Fire Department has indicated the building is safe to re-enter.
5. If you are trapped, try to stay as calm as possible. Try to get to a room with an outside window and a telephone. Call 911 and give them your exact location. If there is no phone, wave an object out the window to signal for help. Keep all doors between you and the fire closed. Cover all vents and seal cracks around the door to keep out smoke. Be as calm and patient as possible. Rescue personnel will arrive to assist you.

Evacuation Assistance

Any person who cannot walk downstairs will be directed to the east or west stairwells in the BLV Residence Hall. The BLV resident assistants will serve as floor monitors in the dorm and provide this assistance for residence hall students and/or visitors. Once in the interior stairwell the RA will call or radio the University Police Department and give their location and how many persons are in the stairwell with them. They will stay there until emergency responders arrive and assist them out of the building. The interior stairwells have sprinklers and should be safe until emergency assistance arrives.

IV. Residence Hall Rules for Fire Safety

Appliances

Electrical appliances not allowed include, but are not limited to: Air conditioning units, room water coolers, camping stoves, ceiling fans, electric skillets or woks, griddles, halogen torchier lamps, potpourri pots, hot oil popcorn poppers, hot plates, oven broilers, power tools, any appliance with an open coil, space heaters, toasters, or toaster ovens. The hall staff will confiscate unauthorized or misused appliances and the individuals responsible will be subject to disciplinary action. Allowed appliances include coffee pots, hot pots, microwave/refrigerator, rice cookers, and blenders. Staff reserves the right to require any cooking appliances to be removed if the appliance is deemed to be unsafe or otherwise damages or could potentially damage the hall or the hall community.

Candles and Incense

Candles and incense are prohibited in the residence hall rooms, lobbies, and storerooms due to possible fire hazards. This rule includes decorative candles with burned or unburned wicks. Residents found with candles will be assessed a \$25.00 fine and these objects will be confiscated. Confiscated items will be

disposed of at the end of each semester. Candle warmers, wax warmers, and potpourri pots are not allowed.

Cooking

Cooking in the residence halls is allowed with approved cooking appliances only and approval of use of kitchen by Residence Life Coordinator. Residents are responsible for ensuring that proper sanitation, ventilation, and fire safety precautions are taken. Any damage resulting from improper food disposal will be billed to the individuals responsible. No food or waste should be disposed of in sinks. Residents are responsible for cleaning the kitchen when cooking is completed.

Extension Cords/Surge Protectors

Extension cords may not be used while living in the halls. Power strips/Surge protectors should never be placed above the ceiling tiles, underneath carpet, or stapled or pinched in any way. Only power strips and multi-plugs with built-in circuit breakers (surge protectors) may be used in rooms. Improper use of multi-plugs may result in a write-up with a fine or Texarkana City Community Service.

Fire Doors

Corridor and stairwell doors must be kept closed at all times. Closed doors hinder the travel of smoke, heat, toxic gases, and fire from the area of origin. Propping doors may result in disciplinary actions and fines. Nothing should be attached to a fire door.

Fire Drills/Equipment

The University will hold fire drills at least once in both the fall and spring semesters to acquaint the residents with fire evacuation procedures. All residents and guests should follow directions during the drills. Failure to evacuate the building may result in disciplinary action, a monetary fine, and possibly suspension.

Because fire and safety equipment must function properly when it is needed, the following acts are prohibited:

- Tampering or playing with fire extinguishers, smoke detectors, exit lights, or emergency lights
- Tampering with or pulling a fire alarm under false pretense
- Removing smoke detector batteries or otherwise rendering a smoke detector inoperable
- Propping open fire doors

- Obstructing halls and stairwells with furniture, debris, and other materials
- Hanging objects from smoke detectors
- Presence on fire escapes in non-emergency situations

Residents who jeopardize the security or safety of any resident will be subject to severe disciplinary action. Tampering with fire equipment or acts of arson can result in civil prosecution, disciplinary measures, and/or possible fines.

Halogen Lamps

Due to fire safety, halogen torch lamps or other lamps using halogen bulbs are prohibited in the residence halls.

Health and Safety Checks

The University recognizes residents' desire for privacy, particularly in the context of their group living situation, and will do what it can to protect and guarantee their privacy. However, University Personnel, through a residence hall staff member, reserves the right to enter a resident's room to determine compliance with health and safety regulations. Health and Safety Checks will occur a minimum of two times each semester and residents will receive posted notification of the check 48 hours in advance of the check.

Heaters

For safety reasons, no portable heating units may be used in a residence hall.

Holiday Decorations

If students decorate their rooms for the holidays, these guidelines must be followed:

- Trees and other greenery must be artificial and must have proof of flame resistance.
- Lights must be UL-approved and of low wattage – only miniatures – Lights may not be used until after Thanksgiving (Christmas holiday use only).
- All decorations are to be removed within two days following the holiday.
- Holiday lights and rope lights must be taken down in the time period mentioned above.
- Fire alarm pull stations, fire extinguisher cabinets, smoke detectors, sprinkler heads, and exit signs must not be covered, and exits must not be blocked.
- No candles or any open flame may be used.

Open Flame

No items that have open flames, flammable fuels, or open coils may be used in a residence hall. This includes, but is not limited to candles, lanterns, heaters, and incense. Violation of this rule may result in immediate relocation and disciplinary action. These items will be confiscated immediately.

Smoke Detectors

All student rooms are equipped with smoke detectors. Detectors will be checked prior to the start of each semester and during Health and Safety Checks by the hall staff. Residents that detect a problem with their smoke detector should contact the hall staff immediately. Disciplinary action will result if a student removes or otherwise renders the detector inoperative and a \$100.00 fine or community service may be assessed. Disciplinary action could also result for residents who cause potential fire hazards through unsafe practices (i.e., overloading circuits, use of inappropriate extension cords, use of unauthorized cooking appliances, etc.).

Smoking

The Texas A&M University-Texarkana campus is tobacco-free. Smoking and Vaping are prohibited on campus, including in the Residence Hall. Smoking in a room will result in a \$100.00 fine and/or community service. The following items are also prohibited within the residence halls: vape pens, hookahs, pipes, bongs, or any paraphernalia which may be used to inhale or ingest prohibited drugs.

V. Training

Before the start of each semester, all Resident Advisors (RAs) go through two weeks of intensive training on all dorm rules and procedures. Local Fire Department firefighters conduct a training session with the RA's and Residence Life Coordinator which also includes hands-on training in how to use a fire extinguisher. Once students move into the dorm, the RA's will meet with their residence hall students during the first week and will conduct a training session with them, going over all the rules and procedures in this program.

VI. Reporting Fires

Per Federal Law, TAMUT is required to report statistical data on all fires that occur in on-campus student housing facilities. The Bringle Lake Village Residence Hall is equipped with smoke detectors and a sprinkler system. If there is ever a fire in the dorm, the alarm should go off, and the city fire department and the UPD should be automatically notified. If for some reason, a small fire occurs and

it's put out before setting the fire alarm off, it shall still be reported to campus authorities. Please call one of the numbers listed below and report the fire:

Residence Life Coordinator - 903-223-1355

University Police Department - 903-334-6611

VII. Future Improvements in Fire Safety

The Texas A&M-Texarkana Bringle Lake campus is a new campus that opened in 2008. The University Center and Central Plant buildings were completed in 2010. The Bringle Lake Village Residence Hall and Science and Technology building opened in August 2011. The newest buildings include the Lois & Cary Patterson Student Center opened in 2018 and the Building for Academic and Student Services (BASS) opened in 2019. The fire alarm system is a modern, integrated system, connecting all the buildings. All buildings are monitored 24 hours a day by Siemen's monitoring service. Every floor in every building is protected by a sprinkler system. In 2021, TAMUT successfully implemented the RAVE alert system, a safety-based communications system aimed at simplifying emergency notifications and expanding notification outreach. With the RAVE System successfully in place, there are no additional future improvements in fire safety planned for year 2023.

VIII. Fire Alarm Drills

Fire alarm drills (building evacuations) are planned and conducted once each semester in accordance with the TAMUT Emergency Management Plan.

Fire alarm drills were held on February 16, 2022, September 11, 2022, & December 21, 2022

VIII. Fire Statistics Disclosure

There were no fires reported at Bringle Lake Village in 2022.

Fires reported in

On-Campus Student Housing Facilities	2020	2021	2022
Bringle Lake Village Residence Hall	0	0	0

APPENDIX A

TEXAS A&M UNIVERSITY – TEXARKANA AT RELLIS ANNUAL SECURITY REPORT 2023



RELLIS Campus

In partnership with Blinn College, Texas A&M University-Texarkana prepares students to earn their Bachelor of Science from TAMUT at the Texas A&M University RELLIS Campus. The RELLIS Campus is owned by the Texas A&M University System and is located eight miles from TAMU College Station. The RELLIS Campus physical address is 3100 TX-47, Bryan, Texas, 77801.

TAMUT students first enrolled in courses at the RELLIS campus beginning in the fall of 2018. TAMUT's Bachelor of Science program at RELLIS prepares students for in-demand careers within the biological sciences or electrical engineering industries. With opportunities for collaborative research, study-abroad programs, and hands-on learning environments, the program's addition to the RELLIS

Campus provides access to high-quality education experiences. TAMUT students enrolled on the RELLIS campus are to adhere to the RELLIS Academic Alliance Student Code of Conduct, located here:

<https://rellis.tamus.edu/academicalliance/campus-life/safety-and-rights/>

Additional information is available from TAMUT faculty located on the RELLIS campus.

Preparation of the Annual Security and Fire Safety Report and Disclosure of Crime Statistics

The Texas A&M University-Texarkana (TAMUT) Clery Compliance Officer, in conjunction with the Clery Act Compliance Committee, prepares the TAMUT RELLIS Annual Security Report and Disclosure of Crime Statistics on an annual basis to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act). This report is prepared with the cooperation of the University Police Department, Office of Student Life, Office of Residence Life, Office of Admissions, Human Resources, Athletics Department, and the Director of Title IX. In addition, personnel at RELLIS, the Texas A&M University (located in College Station) University Police Department, The Texas A&M University System, and TAMU Office of Risk, Ethics, and Compliance, assist in the compilation of policies, procedures, and statistics specific to the RELLIS campus, with input from various sources such as Student Affairs and other campus personnel with TAMU as well as the local law enforcement agencies in Bryan-College Station.

Campus crime statistics, including arrests and referrals for judiciary sanction, include those reported while students traveled for university business, those reported to local police near or adjacent to the university-owned or controlled property, and crimes reported to designated campus officials and campus security authorities.

TAMU at RELLIS Overview

RELLIS, 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 Texas A&M University main campus in College Station (Texas A&M University). RELLIS was renamed in 2016 to represent the Aggie core values of respect, excellence, leadership, loyalty, integrity, and selfless services. Facilities at RELLIS are, and have historically been, used to conduct world-class research, technology development, and industry outreach with participants including, but not limited to, the College of

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

Policy statements in this Annual Security Report are relevant to Texas A&M University-Texarkana students, faculty, and staff located at RELLIS and reflect the same policies, practices, and services that are applicable to Texas A&M University-Texarkana unless otherwise stated. RELLIS Academic Alliance students and employees are not enrolled in or employed by Texas A&M University-Texarkana, therefore, may have differing policies, practices, and services provided by other entities that are not required to be disclosed in this Annual Security Report.

Notifications of Availability for the Annual Security and Fire Safety Report

Each year, an email notification is sent to all enrolled students that provides the link to the Annual Security and Fire Safety Report (ASFSR). Faculty and Staff also receive an email notification with the same link. The Admissions Office webpage on the TAMUT website also gives the website address for the ASFSR. Prospective employees are provided this information in the application process online as well in job application packets. A paper copy of the ASFSR can be obtained at the University Police Department in the Central Plant Building, located at the main campus at 7101 University Avenue, Texarkana, Texas, 75503.

TAMUT is committed to putting the health and safety of our students, employees, and visitors above all other priorities. This report is designed to inform students and employees of various safety policies, procedures, and prevention methods employed by the University. This report also informs students, employees, and visitors of the type and amount of crime that has occurred on the campus, non-campus property, and public property surrounding the campus, within the last three years.

RELLIS Campus Law Enforcement Policies

TAMU Police Department Overview

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

The TAMU UPD has 160 authorized positions that include seventy-eight state-certified Police Officers, 52 Security Officers, 13 Communications Officers, and seventeen 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, an Evidence Technician, an Emergency Communications Center, and a Victim Advocate. Patrol is the core of UPD. These officers 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 our students, staff, faculty, and visitors, the TAMU UPD has uniformed officers on patrol 24 hours a day, year-round at the main campus who are available to respond to RELLIS. To provide this around-the-clock coverage, UPD officers work in two shifts with an additional third overlapping shift as staffing allows. UPD Security Officers work closely with UPD armed Patrol Officers by constantly patrolling university properties and staffing fixed posts at some facilities. Additionally, UPD patrols the RELLIS campus as part of a normal random patrol pattern, and UPD security personnel patrol the RELLIS campus each evening, including weekends, for an eight-hour period beginning at dusk. Texas A&M University RELLIS Campus Annual Security Report 2022 4 A Memorandum of Understanding (MOU) is also established between the Blinn College Police Department (BCPD) and the UPD to coordinate police service for the Academic Alliance and RELLIS. During normal business hours, BCPD provides a police officer dedicated to facilities at RELLIS that are occupied by Blinn students and employees and the RELLIS campus in general. The Blinn officer is located at the RELLIS campus in the Walter C. Schwartz Building (Blinn Academic Building), 1366 Bryan Rd., Bryan, TX 77807.

Enforcement Authority

The Texas A&M University Police Department (TAMU UPD) is computer linked to city, state, and federal criminal justice agencies, which provide access to criminal records, wanted persons, stolen property, and vehicle information. All crimes occurring at RELLIS should be reported to TAMU UPD or submitted to TAMU UPD from the Blinn College Police Department (BCPD) officers or contract security. TAMU UPD investigates and refers crimes for prosecution through the Offices of the County Attorney and District Attorney when appropriate. Criminal matters involving students or employees may also be referred to the appropriate university's administration for disciplinary action.

Arrest Authority

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

Jurisdiction

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

Working Relationships and Agreements

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

TAMU UPD 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.

TAMU UPD's working relationships with local law enforcement agencies are maintained through a written mutual aid agreement. The agreement allows 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.

Reporting Crimes

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

TAMU UPD calls for service are received in the TAMU UPD 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 UPD Records Unit for a time period mandated by institutional and state records retention policies.

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

TAMU and RELLIS Campus Law Enforcement Telephone Directory

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

Emergencies-from on campus phones/Police/Fire/Medical 911 or 9-911	Non-Emergencies/General Assistance 845-2345
TAMU Chief of Police 845-2345	Community Services Division 458-6875
Uniform Patrol Division 845-2345	Records Division 845-2347
Criminal Investigations Division 458-1674	Recruiting Division 862-8125
Uniform Security Division 862-3375	Public Information 845-0070
Field Operations Division 845-6633 or 458-1458	Training Division 845-8055
Special Events Operations 845-8900	Victim Services 458-9767
Blinn Police at RELLIS 209-7600	UPD Police at RELLIS 845-2345

Incident Reporting and Response

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

TAMU UPD calls for service are received in the TAMU UPD 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 UPD Records division for a time period mandated by institutional and state records retention policies.

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

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

Reporting Criminal Offenses to University Officials: Campus Security Authorities

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

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

TAMUT Director of Human Resources (for TAMUT Employees at RELLIS), 903-223-3012, Central Plant Building, Rm CP163, TAMUT Campus

Crime reports provided to these, and other campus security authorities are used by the school to fulfill its responsibility to annually disclose accurate crime statistics and to issue or facilitate the issuance of timely warnings or emergency notifications. Campus security authority crime reports should include sufficient detail such as dates and locations, and where appropriate, personally identifying information, including name and contact information, if available. For additional

information on the duties and responsibilities of the individuals and offices listed above, see the CSA PowerPoint Presentation link located on the following webpage: <https://>

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

Although exempt from the reporting requirements of the Clery Act, pastoral and professionally licensed mental health counselors are encouraged, if and when they deem appropriate, to refer persons they are counseling to report crimes on a voluntary, confidential basis for inclusion in the annual statistics and crime log, especially if the incident may pose an ongoing threat to the campus community. Each year, counselors are provided with a reminder to review reporting options with student clients. Contracted counseling personnel available to employees are not provided the written reminder as they are referred to using a network of local providers.

Confidential and Anonymous Reporting of Crimes

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

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

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

Crimes can be reported anonymously by calling Crime Stoppers at 979-775-TIPS (8477).

Timely Warning Notices

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

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

Issuing Timely Warnings (Crime Alerts)

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

appropriate action to protect themselves or their property. Crime Alerts generally include:

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

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

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

Professional Counselors and Pastoral Counselors

It is important to note that in some cases law enforcement may need to withhold some facts if releasing the information would compromise an ongoing investigation or the identity of the victim. Victim names and other identifying information of victims are not included in Crime Alerts. An institution is not required to provide a timely warning with respect to crimes reported to a pastoral or professional counselor.

Emergency 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 exercise building evacuation plans to developing and maintaining emergency response plans as deemed necessary.

The RELLIS campus [Emergency Operations Plan](#) is the primary plan that describes the general framework for emergency response at the campus. The Emergency Operations Plan coordinates and integrates all necessary resources to prevent, protect, mitigate, respond to and recover from emergencies that affect the RELLIS campus and its constituents. It is designated to interface with community response organizations and anticipate potential emergencies which may affect any operation or service. The RELLIS Campus Director, in coordination with TAMUS Environment, Safety & Security is responsible for maintaining and updating this plan. This plan shall be reviewed at least annually and updated based upon deficiencies identified during actual emergency situations, training and exercises, and when changes in hazards, resources, capabilities or organizational structure occur. A revised or updated plan will be provided to all departments and individuals tasked within this plan in addition to TAMUS Environment, Safety & Security.

Evacuation Procedures

All RELLIS campus buildings are required to have a written Emergency Action Plan (EAP) that provides protective actions for life safety in the facility including specific guidance regarding immediate actions building occupants should take in the event of building evacuation, shelter in place, or lockdown. The RELLIS Academic Complex EAP is a set of more specific emergency protocols for the RELLIS Academic Complex developed to provide guidance for occupants and others in the event of foreseeable emergencies. The EAP includes a description of common threats, the Complex's fire and life safety features, incident reporting procedures, and evacuation procedures and drills. The building evacuation procedures will automatically be implemented when the fire alarm is activated or

if emergency responders decide evacuation of a facility is necessary due to a particular hazard. Building occupants will be notified of the evacuation, as appropriate, depending on the hazard. The RELLIS Academic Complex EAP may be viewed at <https://rellis.tamus.edu/wp-content/uploads/2022/01/Academic-Complex-EAP-Rev-004.pdf>.

Texas A&M University Environmental Health and Safety, in cooperation with RELLIS Environmental Health and Safety and lead administrators for each occupied facility, oversee a building evacuation procedure for all occupied facilities on the RELLIS campus. The Environmental Health and Safety groups work with each facility representative to maintain and test building evacuation procedures annually for occupied facilities on campus through scheduled emergency evacuation drills.

Emergency Notification System

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

Emergency Notification System

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

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

The RELLIS Alert (and Blinn Alert) emergency notification system gives the campus the ability to communicate health and emergency information through one or all of the following mechanisms: SMS text message and email. RELLIS Alert also utilizes pop-up messages on equipped university-owned computers, Twitter, RSS, and a mobile app. The RELLIS Alert (and Blinn Alert) system is only used to provide official notification of critical emergencies (i.e., situations that pose an imminent threat to the community).

Issuing Emergency Notifications

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

UPD and/or RELLIS campus personnel determine whether or not a significant emergency or dangerous situation exists by evaluating information received from entities which may include but are not limited to: law enforcement (including the Blinn Police Department), fire department, Emergency Management, National Weather Service, Environmental Health and Safety, Emergency Medical Services, Facilities Services, and other campus officials including personnel from the RELLIS Campus. The UPD coordinates with RELLIS Campus Administration about emergencies or dangerous situations occurring at the RELLIS campus and the resulting RELLIS Alert (and Blinn Alert) messages, if any, as time allows. Members of the UPD, the responsible law enforcement agency, may initiate a RELLIS Alert without consulting RELLIS Campus Administration if in their professional judgment, consulting with said person(s) will unduly delay the emergency notification process and will follow up with the RELLIS Administration leadership within a reasonable amount of time once issued.

RELLIS Alerts are issued to the RELLIS campus community, rather than to specific segments of the campus population. Blinn Alerts are issued to the Blinn College, RELLIS campus community, rather than to specific segments of the campus population.

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

In circumstances where time is of the essence, certain RELLIS Alert publishers are authorized to make a final determination of a significant emergency or dangerous situation, compose an alert (or select and modify one of the warnings that are pre-

scripted for that purpose), and send the alert. An example of such an urgent message could include an alert issued for an active shooter.

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

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

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

The REllIS Alert (and Blinn Alert) emergency notification system does not replace the Crime Alert requirement. They differ in that the Crime Alert requirement applies to Clery reportable crimes, while the emergency notification system addresses a much wider range of threats (i.e. gas leaks, tornadoes, active shooter, etc.). If an emergency notification is issued, the campus is not required to issue a Crime Alert based on the same circumstances; however, the institution must provide adequate follow-up information to the community as needed. Individuals receiving the emergency notification will also be advised with updated information, as needed, using the same method(s) as the original notification.

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

In the event that a crisis occurs on REllIS property, the TAMUS Office of Marketing and Communications will be notified as soon as possible. As chief spokesperson(s) for the campus, TAMUS Marketing and Communications staff will ultimately be

responsible for providing strategic direction and implementing protocols as outlined in the emergency communications plan. TAMUS Marketing and Communications will work with the UPD Public Information Officer and the RELLIS Director to prepare and disseminate internal and external messages, distribute news releases, alert local media, respond to media inquiries, update the emergency website and the main university website with pertinent information, and share timely information as appropriate via digital channels and social media. In addition, TAMUS Communications will be responsible for planning, scheduling, and providing logistical support for news conferences as well as coordinating communication efforts with relevant entities and organizations. In case of an emergency, RELLIS campus personnel will utilize the emergency website (<https://rellis.tamus.edu/emergency/>) to provide current information pertaining to the incident.

Registering for Emergency Notifications for the RELLIS Campus

Students, Faculty, and Staff Access

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

The public cannot register for Blinn Alerts.

Emergency Operations Plan

Training and Exercises

The Emergency Operations Plan will be tested and exercised at least annually utilizing a discussion-based level exercise or higher and tests of the emergency notification system. An operations-based exercise will be performed at least every three years. The agencies and emergency response entities that interface with RELLIS officials during an actual emergency situation will be invited to participate in the campus exercises. Actual emergency situations or false emergency alarms will not be used to meet the requirements for testing and exercising the RELLIS Emergency Operations Plan. The tests and appropriate follow-through activities are designed for the assessment and evaluation of emergency plans and capabilities and are performed and documented. Tests may be announced or unannounced.

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

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.

Monitoring Non-Campus Locations

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

Institutional sponsored travel by a student or student organization to a location away from campus may result in the location meeting the criteria for Clery non-campus property. TAMU UPD does not monitor or record criminal activity for these non-campus locations. The local law enforcement agency with jurisdiction at the location responds when police services are requested.

General Provisions

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

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

nature and are also widely utilized to help support Texas Education Code Section 51.204.

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

Residence Halls

RELLIS has no residence halls.

Parking Areas

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

Academic and Administrative Buildings

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

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

Security officers at RELLIS closely monitor any security-related maintenance problems and report their findings to the appropriate university official. If necessary, they will stand by until the problem is corrected. Contract security survey campus lighting nightly and monitor those areas having defective fixtures and report the deficiencies to the appropriate personnel for corrective action. Police personnel check the operations of the emergency telephones on a scheduled periodic basis. The TAMU UPD's Community Services Division, staffed by officers who are state Certified Crime Prevention Specialists, continually presents programs covering crime prevention and security information and makes programs available for students, staff, faculty, and others, including Texas A&M University students and employees located at RELLIS. These Crime Prevention Specialists are dedicated full-time to crime prevention efforts and programs. They participate in and provide information during new and transfer student orientation, and international student orientation, in addition to a number of other programs scheduled annually with student, staff, and faculty organizations. In these sessions, information is provided regarding campus security procedures and practices. The Campus Safety Awareness Series is another opportunity for the campus community to get to know TAMU UPD officers, ask questions about safety and security procedures and practices, and/or voice concerns. For additional information or to schedule a program you are encouraged to call the Community Services Unit at 979-458-1674.

Crime Prevention Programs and Services

UPD typically offers a variety of crime prevention programs and services to Texas A&M University students and employees and other Texas A&M University System students and employees. The programs are designed to encourage students and employees to be responsible for their own security and the security of others. Due to COVID-19, the availability of the following programs or service requests may be restricted to online only or unavailable if the request cannot

meet COVID-19 guidelines. In-person requests that cannot meet the COVID-19 guidelines will resume once it is safe for all involved.

Programs and Services:

- Personal Safety Awareness – scheduled upon request
- Theft/burglary Prevention – scheduled upon request
- UPD Self-Defense Program – scheduled upon request
- Alive@25 Defensive Driving – offered periodically throughout the year
- Operation ID (free engraving of property in the residence hall, home, and office) – during the fall semester starting with Howdy Week and scheduled upon request or at TAMU UPD
- Residential and Office Security Surveys – scheduled upon request
- Drug and Alcohol Awareness – scheduled upon request
- Sexual Assault Prevention – scheduled upon request
- Active Shooter Preparedness– scheduled upon request
- Apartment and Home or Residence Hall Security – scheduled upon request
- Robbery Prevention – scheduled upon request
- Workplace Crime Prevention – scheduled upon request

Alcoholic Beverages, Illegal Drugs and Weapons

Alcohol Policy

The following alcohol policy applies at the RELLIS campus.

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

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

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

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

Alcohol, Drug Abuse, Rehabilitation Program Counseling and Referral Services for Students and Employees

The following services are provided to Texas A&M University-Texarkana employees located at RELLIS:

Student Organization Risk Management Training is available to any student organization members that wish to complete it. The training addresses abuse and prevention awareness for illicit drugs and alcohol, sexual abuse and harassment, and hazing. Additionally, TAMUT provides drug and/or substance abuse prevention information and referral counseling services to all TAMUT faculty, staff, and students. Employees can contact the Human Resources Department at 903-223-1360 or can visit the [Employee Assistance Program](#) website for more information. Students can contact the Office of Student Life at 903-223-3186 or stop by the department suite located on the first floor of the University Center at the main campus. Individuals who wish to seek help on their own, in confidence, may contact the Southeast Counseling and Mental Health Services – Drug/Alcohol outpatient division, located in Texarkana, TX, at 870-773-4655.

The following services are provided to Texas A&M University System employees located at RELLIS:

The Work/Life Solutions Program by Guidance Resources (1-866- 301-9623) manages the alcohol, drug abuse, and rehabilitation program for employees and provides licensed counseling and referral services.

Illegal Drugs Policy

The following illegal drug policy applies at the RELLIS campus.

Federal law prohibits the unlawful possession, use, sale, or distribution of drugs. Texas state law prohibits the possession, use, sale, manufacture, or delivery of a controlled substance without legal authorization. A controlled substance includes

any drug, substance, or immediate precursor covered under the Texas Controlled Substances Act, including but not limited to opiates, barbiturates, amphetamines, marijuana, and hallucinogens. The possession of drug paraphernalia is also prohibited under Texas state law. Drug paraphernalia includes all equipment, products, and material of any kind that are used to facilitate, or intended or designed to facilitate, violations of the Texas Controlled Substances Act. According to System Policy 34.02, Drugs and Alcohol Abuse, all students and employees are expected to abide by federal and state laws pertaining to controlled substances and illicit drugs. More specifically, student codes of conduct governing students at the RELLIS campus prohibit using, possessing, being under the influence of, manufacturing, or distributing illegal drugs or illegally obtained/possessed controlled substances. Alleged violations of federal and state laws may result in criminal charges. Institutional conduct charges may be pursued against those alleged to have violated institutional policies and/or state/federal laws concerning controlled substances.

The following services are provided to Texas A&M University students and employees located at RELLIS. Health Promotion (979-845-0280), in the Offices of the Dean of Student Life (979-845-3111), is committed to promoting responsible decision-making regarding alcohol and other drugs through educational Texas A&M University RELLIS Campus Annual Security Report 2022 16 programming, resources, and referrals. The Work/Life Solutions Program by Guidance Resources (1-866- 301-9623) manages the alcohol, drug abuse, and rehabilitation program for employees and provides licensed counseling and referral services.

Weapons Policy

The following weapons policy applies at the RELLIS campus.

In accordance with Texas Penal Code Ch. 46.03, it is a felony to intentionally, knowingly, or recklessly possess a firearm, location restricted knife, club, or prohibited weapon on the physical premises of a school or educational institution, to include any grounds or buildings on which an activity sponsored by a school or educational institution is being conducted, or a passenger transportation vehicles of a school or educational institution. The following exception applies. A license to carry holder under Chapter 411, Texas Government Code, may carry a concealed handgun on or about the license holder's person while the license holder is on the premises of the TAMUS offices (where the TAMUS offices have operational responsibility) or in a TAMUS vehicle unless prohibited by state law or federal law. Concealed carry is prohibited on any premises where TAMUS offices, as directed or approved by the chancellor as necessary for institutional safety, give 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. Licensed peace officers are authorized by law to carry firearms at all times. TAMUS Rule 34.06.02.S1 contains additional weapons policy information.

Sexual Assault, Dating Violence, Domestic Violence, and Stalking

In accordance with federal law and Texas A&M University System Regulation 08.01.01 Civil Rights Compliance ([System Regulation 08.01.01](#)), Texas A&M University-Texarkana prohibits discrimination and harassment including sexual assault, dating violence, domestic violence, stalking, (as those terms are defined for the purposes of the Clery Act) and/or related retaliation. The following are statements of policy that address discrimination, harassment (including, but not limited to, sexual harassment¹ and sex-based misconduct²), complicity, and retaliation³. The policies apply whether this conduct occurs on or off campus and when notice of potential misconduct is received by university.

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

¹ Sexual harassment is a form of sex discrimination. Unwelcome conduct on the basis of sex (of a sexual nature or otherwise): (1) by an employee of the university who conditions the provision of an aid, benefit, or service of the university on an individual's participation in that unwelcome sexual conduct; (2) determined by a reasonable person to be so severe and pervasive and objectively offensive that it effectively denies a person equal access to the university's education program or activity; or (3) sexual assault, dating violence, domestic violence, or stalking based on sex. For the purposes of defining sexual harassment specified in (2): severe means of sufficient seriousness to interfere with the rights, privileges, and legal activities of an individual, as well as actions that would be deemed by a reasonable person to be extreme or life-threatening; pervasive means conduct existing in or spreading over a large area of an activity or program over a period of time; and objectively offensive means behavior determined by a reasonable person to be offensive (actions that cause unreasonable harm or distress to another individual or group of people). Includes complaints based on sex, sexual orientation, and/or gender identity.

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

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

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

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

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

Texas A&M University-Texarkana employees are mandatory reporters who must report all known information about an alleged or suspected incident of discrimination, harassment, retaliation, or complicity that is experienced by, observed by, or made known to an employee in the course and scope of their employment as soon as possible⁴. Student workers are not required to report conduct prohibited by this policy if the student worker experiences, observes, or becomes aware of the prohibited conduct outside the context of their employment.

An employee is also not required to report an incident where: (1) the employee was a victim of sexual harassment, sexual assault, dating violence, domestic violence, or stalking; (2) the incident about which the employee received information was due to a disclosure made at sexual harassment, sexual assault, dating violence, domestic violence, or stalking public awareness event sponsored

⁴ Exceptions include confidential employees and are described in the "Confidentiality/Privacy" section of this report.

by the university or by a student organization affiliated with the university; or (3) the person has either learned of the incident during the course of their employer's review or process or has confirmed with the designated office overseeing the review or process, that the incident has been previously reported.

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

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

At the Texas A&M University-Texarkana campus, reports that a student, an employee, or a third party has engaged in conduct prohibited by this policy should be made to:

RELLIS Title IX Coordinator's Office (RELLIS TIXC): 979-317-3402 |
civilrights@rellis.tamus.edu

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

The Assistant Provost & Title IX Coordinator's (AP/TIX) responsibilities include, but are not limited to, (1) overseeing Texas A&M University-Texarkana civil rights protections program; (2) ensuring all complaints of discrimination, harassment, retaliation, and complicity are promptly, thoroughly, and equitably reviewed, investigated, and resolved in accordance with [System Regulation 08.01.01](#), Rule [08.01.01.S1](#) for Academic Alliance staff and Academic Alliance students (and [RELLIS Academic Alliance Student Code of Conduct](#)), and [08.01.01.H1](#) for Academic Alliance faculty, and (3) identifying and addressing any patterns or systematic problems that arise from the review of such complaints. The Title IX Coordinator or designee shall decide whether this policy shall be applied to such conduct on a case-by-case basis.

Some conduct, while inappropriate and unprofessional, does not rise to the level of discrimination, harassment, retaliation, or complicity. These behaviors will be forwarded by RELLIS TIXC to be addressed by the appropriate disciplinary authority, e.g., Supervisor, Student Conduct, Residence Life, etc., under rules or regulations other than this policy.

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

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

Additional options for reporting to the university include:

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

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

Texas A&M University-Texarkana has procedures in place to inform individuals of their rights to file criminal charges as well as the availability of services on and off campus. A complainant⁵ may request assistance from and/or will be assisted by TIXC in notifying law enforcement authorities if the complainant so chooses. A report to law enforcement is separate from a report to the university. An individual wishing to simultaneously pursue a law enforcement investigation and a university resolution of conduct prohibited by this policy should make a report to both entities. Individuals are notified of their right to report the incident to campus police and local police immediately but always have the right to decline to notify such authorities. Reporting to law enforcement does not preclude an individual from pursuing disciplinary remedies with the university.

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

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

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

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

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

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

RELLIS TIXC provides written notification of available resources, rights, and options to each individual reporting discrimination, harassment, or retaliation (whether the offense occurred on or off campus) regardless of whether the individual chooses to report the incident to local law enforcement or chooses to pursue informal or formal remedies through the university or criminal remedies

through law enforcement. The written notification includes information regarding:

- the importance of preserving physical evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protective order;
- procedures about how and to whom the alleged offense should be reported;
- the option to notify proper law enforcement authorities including on-campus and local police;
- the option to be assisted by campus authorities in notifying law enforcement if the victim chooses;
- the option to decline to notify such authorities;
- the rights of individuals and the institution's responsibilities for orders of protection, no contact orders (mutual no contact restrictions), restraining orders, or similar lawful orders issued by criminal, civil, or tribal court or the institution;
- information about how the institution will protect confidentiality;
- existing on-campus and community resources/contacts (counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to students, faculty, and staff);
- the options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or supportive/protective measures;
- protection from retaliation; and
- an explanation of procedures for institutional disciplinary action in cases of alleged sexual assault, dating violence, domestic violence, and stalking.

Individuals reporting to RELLIS TIXC also receive the written notification.

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

- Go to a safe place as soon as you can.
- Contact the Police 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 Health Regional Hospital in Bryan (979-776-3777) also conducts forensic exams. Go to the hospital's emergency room and request to be seen by a SANE. A forensic examination can also be performed for victims of domestic violence.

- Try to preserve all physical evidence. Do not wash, use the toilet, swim, brush your teeth, or change clothing if you can avoid it. If you do change clothes, put all clothing you were wearing at the time of the attack in a paper, not plastic, bag.
- Preserve evidence by saving text messages, instant messages, social networking pages, communications, pictures, or other documents, if any, that would be useful to police or investigators.
- Personnel are available to help explain options, give information, and provide emotional support. Personnel includes: Title IX Coordinator, Student Counseling, and Student Health Services at Texas A&M Health Family Care 979-776-8440, UPD Victim Services 979-458-9767, and the Brazos Valley Sexual Assault Resource Center 979-731-1000.

Medical Treatment (as applicable to the specific incident)

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

Confidentiality/Privacy

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

concerns conduct involving suspected abuse or neglect of a minor under the age of 18, the disabled, or the elderly; or (4) required by law.

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

At the RELLIS campus, the following are considered confidential reporters: Mental health providers for students – counseling and health care personnel for students – Texas A&M Health Family Care (979-776-8440); and mental health provider for employees and the employee's benefits-eligible dependents (979-458-6417). At Texas A&M University-Texarkana, the following are considered confidential reporters: Mental health providers for students – counseling (903-334-6613 during business hours and 903-276-8276 for after-hours crisis assistance), health care personnel for students – Student Health Services (903-223-3186); and mental health provider for employees and the employee's benefits-eligible dependents (866-301-9623).

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

⁶ Personally identifying information is defined as individually identifying information for or about an individual, including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including a first and last name; a home or other physical address; contact information (including a postal, email, or internet protocol address, or telephone or facsimile number); a social security number, a driver's license number, passport number or student identification number; and any other information, including date of birth, racial or ethnic background, or religious affiliation that would serve to identify any individual.

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

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

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

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

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

Resources, Rights, and Options

Following an allegation of sexual assault, dating violence, domestic violence, stalking, and/or related retaliation the complainant, the respondent, and other affected individuals have certain resources, rights, and options available to them. Parties with an inquiry or complaint, if known, are informed about their resources, rights, and options in writing when TIXC receives notification of an incident whether it occurred on or off campus and regardless of whether the individual elects to pursue a criminal complaint or disciplinary measures. Other personnel likely to receive reports of conduct prohibited by this policy in the Student Affairs, Human Resources, and UPD, may also provide resources, rights, and options in writing. Available assistance information is also shared through prevention and awareness education and can be found on the Title IX webpage at <https://rellis.tamus.edu/academicalliance/campus-life/safety-and-rights/>. Additional information about any of the resources, rights, and options discussed in this section can be requested from RELLIS TIXC.

Law Enforcement

Name	Phone	Address	Website
Texas A&M University Police	979-845-2345	1111 Research Parkway College Station, TX	https://upd.tamu.edu
Bryan Police Department	979-361-3888	303 East 29 th Street Bryan, TX	www.bryantx.gov/police
College Station Police Department	979-764-3600	800 Krenek Tap Road College Station, TX	www.cstx.gov/police
Brazos County Sheriff's Department	979-361-4980	1700 Highway 21 West Bryan, TX	http://brazoscountysheriff.org
Blinn College Police Department	979-209-7600 (same for Blinn officer located at RELLIS)	2423 Blinn Blvd., Building S, Room 106, Bryan, TX	https://www.blinn.edu/police-emergency-management/index.html
TAMUT University Police	903-334-6611	Central Plant, 7101 University Ave, Texarkana, TX 75503	https://www.tamut.edu/about/Administration/University-Police/index.html

Counseling and Mental Health

Name	Phone	Address	Website
Texas A&M Health Family Care (upper-level RELLIS students)	979-776-8440	2900 E. 29 th St. Bryan, TX 77802	https://health.tamu.edu/care/specialties/family-care/locations/family-care-bryan.html
TAMU Psychology Clinic (upper-level RELLIS students)	979-845-8017	Milner Hall, Suite 101 425 Ross Street Texas A&M University Campus	liberalarts.tamu.edu/psychology/about/psychology-clinic/

Name	Phone	Address	Website
Mental Health Counseling (Blinn students)	979-845-4427	Schwartz Building, Suite 230 RELLIS Campus	www.blinn.edu/counseling-services/index.html
Work/Life Solutions by Guidance Resources (TAMUS Employees)	979-458-6417	301 Tarrow St., College Station, TX	https://www.guidanceresources.com/groWeb/login/login.xhtml
TAMUT Student Counseling Office	903-334-6613	Suite 420, 4 th Floor of University Center, 7101 University Ave, Texarkana, TX 75503	https://tamut.edu/campus-life/Counseling-Center/index.html
Life/Work Solutions Counseling	1-888-993-7650	Employee Assistance Program - See website for details.	http://tamut.edu/About/Administration/Human-Resources/EAP.html

Medical and Health Services

Name	Phone	Address	Website
Texas A&M Health Family Care (upper-level TAMUS students)	979-776-8440	2900 E. 29 th St. Bryan, TX 77802	health.tamu.edu/care/locations/index.html
Texas A&M Health Family Care (upper-level TAMUS students)	979-776-8440	2900 E. 29 th St. Bryan, TX 77802	https://health.tamu.edu/care/family-care-bryan/index.html
Baylor Scott & White (Blinn students)	979-691-2409	700 Scott & White Drive, College Station, TX	sw.org/location/college-station-hospital
Baylor Scott & White Medical Center	979-207-0100	700 Scott & White Drive College Station, TX	https://www.bswhealth.com/locations/college-station/
St. Joseph Health College Station Hospital	979-764-5100	1604 Rock Prairie Road College Station, TX	https://www.chistjoseph.org/locations/college-station-hospital
St. Joseph Health Regional Hospital – Bryan, TX	979-776-3777	2801 Franciscan Drive Bryan, TX	https://stjoseph.stlukeshalth.org/locations/chi-st-

Name	Phone	Address	Website
			joseph-health-regional-hospital

Support, Advocacy, Legal Assistance, and Other Resources

Name	Phone	Address	Website
Student Conduct Office (RELLIS)	979-317-3404	1425 Bryan Rd. Bryan, TX 77807 ACB1, Ste. 117	https://rellis.tamus.edu/academicalliance/campus-life/safety-and-rights/
Student Services (RELLIS)	979-317-3404	1425 Bryan Rd. Bryan, TX 77807 ACB1, Ste. 117	https://rellis.tamus.edu/academicalliance/resources/
Title IX Coordinator	903-334-6755	Compliance Office University Center, Room 414K 7101 University Avenue, Texarkana, TX 75503	http://catalog.tamut.edu/student-affairs/titleix/
Deputy Title IX Coordinators	903-223-1351 & 903-223-3012	Office of Student Life, UC Suite 125 & Human Resources, CP 163 7101 University Avenue, Texarkana, TX 75503	http://catalog.tamut.edu/student-affairs/titleix
Sexual Assault Resource Center	979-731-1000		sarcbv.org
National Domestic Violence Hotline	800-799-7233		thehotline.org
University Police Department Victim Services	979-458-9767	1111 Research Parkway College Station, TX	upd.tamu.edu/pages/victimservicesadvocate.aspx
Bryan Police Department Victim's Assistance	979-209-5312	302 South Texas Ave Bryan, TX	
College Station Police Department Victim Advocacy & Assistance	979-764-5004	2611 Texas Ave. S. College Station, TX	https://cstx.gov/departments_city_hall/police/about/operational/victim

Name	Phone	Address	Website
Brazos Valley Family Violence Unit	979-775-7400	300 E. 26 th St., Suite 105 Bryan, TX	Brazoscountytexas.gov/index.aspx?NID=112
Twin City Mission Domestic Violence Services	979-775-5355	2505 S. College Ave. Bryan, TX	twincitymission.org/domestic-violence-services
Twin City Mission Bridge (Homeless Support)	979-822-1492	410 S. Randolph Ave. Bryan, TX	www.twincitymission.org/
Family Promise (Homeless Support)	979-268-4309		www.familypromisebcso.org/about-us/

Visa and Immigration Assistance

Name	Phone	Address	Website
TAMUT Graduate & International Student Services	903-334-6761	University Center Room 132A	http://www.tamut.edu/Admissions/Apply/International/index.html
U.S. Citizenship and Immigration Services, Texas – San Antonio Field Office	800-375-5283	20760 North US Highway 281, Suite A San Antonio, TX	https://www.uscis.gov/about-us/find-a-uscis-office/field-offices

Student Financial Aid

Name	Phone	Address	Website
TAMUT Office of Financial Aid	903-334-6601	BASS 125, Texarkana, TX	http://www.tamut.edu/Admissions/Enrollment-Services/Financial-Aid/index.html
Federal Student Aid Information Center	800-433-3243	n/a	https://studentaid.gov/help-center/contact

Institutional Rights and Options (Supportive Measures)

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

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

In all complaints of discrimination, harassment, and/or retaliation, RELLIS TIXC promptly contacts the parties to discuss the availability of supportive measures, considers the parties' wishes with respect to supportive measures, informs the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explains to the complainant the process for filing a formal complaint.

RELLIS TIXC is responsible for coordinating the effective implementation of supportive measures. In addition to facilitating supportive measures, RELLIS TIXC can provide parties with access to university officials with information about counseling, medical, mental health, victim advocacy, visa and immigration information, the impact of a leave of absence on student financial aid, and other services available to complainants and respondents (on campus and in the community). RELLIS TIXC will also notify the parties that options such as protective orders and criminal trespass warnings may be available through law enforcement agencies and the judicial system. A party may request a supportive measure through RELLIS TIXC (979-317-3402) at any time, regardless of whether a formal complaint has been filed and regardless of whether the individual chooses to report the incident to law enforcement or pursue disciplinary remedies.

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

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

- Assistance in obtaining access to medical, mental health, legal (protective orders and criminal trespass warnings available through law enforcement and the judicial system), counseling support, victim advocacy, visa and immigration information, and financial aid guidance
- Extension of deadlines or other course-related adjustments, e.g., in cases in which a student complainant and student respondent are enrolled in the

same course, either student may elect to drop the course without any academic penalty

- Modifications of work or class schedules
- Campus escort services
- Mutual no contact restrictions between the parties as described below
- Changes in work or housing locations, if reasonable
- Leaves of absence
- Increased security and monitoring of certain areas of campus or workplace
- Other similar measures

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

Individuals should be aware that direct contact, refusal to leave a protected area, appearing at a location one reasonably knows the protected party is at, third-party contact or even an anonymous contact are all potential violations of a mutual no contact restriction. Violations should be reported to TIXC and may result in further disciplinary action. Failure to comply with the terms of supportive measures such as mutual no-contact restrictions may be considered a separate violation of system policies and regulations and university rules and procedures.

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

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

AP/TIX may remove a student from an education program or activity on an emergency basis only after an individualized safety and risk analysis has

determined that the student is an immediate threat to the physical health or safety of any other student or individual arising from the allegations. AP/TIX must provide the removed student with notice and opportunity to challenge the decision immediately following the removal. Upon being removed, the removed student must be granted the opportunity for a hearing within five business days to review whether or not the removal is warranted. The outcome of this hearing is not subject to appeal and is not a disciplinary action.

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

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

Interim Administrative Actions for Employees: In accordance with university rules and SAPs, Texas A&M University-Texarkana may request that an employee be placed on leave, suspended with pay, reassigned, and/or place in another type of temporary status pending completion of the investigation and resolution process. Texas A&M University-Texarkana may also issue interim restrictions to an employee, which include, but are not limited to, contact restrictions (no-contact directives); representation of the university; “no trespass” orders, etc. Such interim actions will remain in place as specified in a notification to the employee or until the allegations are resolved.

Confidentiality/Privacy of Accommodations and Supportive Measures: The university will maintain as private any accommodations or supportive measures provided to the extent that maintaining such privacy would not impair the ability of the institution to provide the accommodations or supportive measures AP/TIX and Texas A&M University-Texarkana is responsible for determining what information and to whom information will be disclosed based on the circumstances of the allegation, the individuals involved, and related safety needs. AP/TIX and Texas A&M University-Texarkana use discretion and only disclose information to key officials at the institution who perform the tasks necessary for obtaining or providing the accommodation or supportive measure. The identity of an alleged victim of sexual harassment, sex-based misconduct, sexual assault, dating/domestic violence, or stalking may only be disclosed to: (a) persons employed or under contract with the institution, who are necessary to conduct an investigation of the report or any related hearings; (b) a law enforcement officer as necessary to conduct a criminal investigation of the report; (c) the person or persons alleged to have perpetrated the incident, to the

extent required by other law; or (d) potential witnesses to the incident as necessary to conduct an investigation of the report. Other areas receiving information related to supportive measures may include but are not limited to: Transportation Services, Scholarships and Financial Aid, Student Activities and Student Life, Human Resources, academic departments (direct supervisor, Dean, or Associate Dean), or non-academic departments (direct supervisor, Vice President, or designee). Prior to disclosure, AP/TIX Texas A&M University-Texarkana will receive consent to disclose the identity of the alleged victim and inform the individual of the information that will be shared, with whom it will be shared, and why.

Legal Rights and Options

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

Protective Orders: Individuals may apply for protective orders through the Texas criminal justice system. A protective order is an interim protective measure that requires the recipient to stay away from the protected individual's home, workplace, and/or children's schools (if the children are protected persons in the order) depending on the documented circumstances. It can require the recipient to stop communicating with the protected individual in a harassing or threatening manner, attend counseling, pay child support, and/or pay spousal support. An application for a protective order may be filed by an individual, a prosecuting attorney, or the Texas Department of Family and Protective Services (1-800-252-5400) on behalf of an individual. The application is obtained through the county attorney (Brazos County Attorney's Office – Family Violence Unit, Family Violence, and Mental Health Coordinator, 979-361-4657), the district attorney (Brazos County District Attorney's Office – Chief Family Violence Division, 979-361-4320), or a private attorney. UPD (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 web pages: <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 criterion for a protective order is met, the county or district attorney's office will prepare and file all of the paperwork

necessary to request a protective order from a court. Such orders provide effective tools for law enforcement when they are called upon to protect an individual and their family. Additionally, an emergency protective order may be recommended and automatically issued by the court following the original report and arrest of the respondent. A hearing will be held at a later date to determine if the order should be extended or modified.

UPD is notified of protective orders that exist in the campus and surrounding area. Local law enforcement agencies are also notified of all existing protective orders in their area. If the requestor or other institutional personnel become aware that a protective order is violated, UPD 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 carries authority for the violator's immediate arrest by UPD or other law enforcement agencies.

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

UPD officers are notified of criminal trespass warnings that exist in their area. If a criminal trespass warning is violated, UPD 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 UPD for a responding officer when they become aware of a potential violation of a criminal trespass warning. UPD generally enforces these warnings by charging violators with criminal trespass resulting in arrest and/or fine.

If the complainant, respondent, or member of the university community has obtained a protective order, civil no-contact order, restraining order, or similar order from a court as described in this section, against another member of the

university community, a copy of the order should be provided to the Chief Risk, Ethics, and Compliance Officer. In conjunction with UPD and other university officials, the Chief Risk, Ethics, and Compliance Officer will take all reasonable actions authorized by law to implement the order.

Other Legal Options: The UPD's Community Services Unit at 979-458-1674 is available to provide information or direct victims to the proper agency about personal safety, Texas Crime Victim's Rights, Texas Crime Victims Compensation Fund, and other information upon request. Or visit the Office of the Texas Attorney General's website at <https://www.texasattorneygeneral.gov/cvs/crime-victims-compensation>.

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

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

- Both the complainant(s) and the respondent(s) must receive equitable treatment in all facets of the investigation and resolution process including, but not limited to, the right to an advisor (if any), the right to present evidence and witnesses, and the right to be informed of the outcome of the investigation.
- Timely and equal access to any information (inculpatory and exculpatory) discovered during the investigation as well as any information that will be used during informal and formal disciplinary meetings and hearings will be provided to the complainant, respondent, and appropriate officials.
- During the investigation, the complainant and respondent have timely notice of meetings at which the complainant or respondent, or both, may be present.
- Determinations use the preponderance of the evidence standard, i.e., what is more likely than not to be true, based on the totality of the available evidence.
- The university's disclosure of information related to an investigation, the DA's decision, and/or the sanctions rendered are governed by the provisions of the Family Educational Rights and Privacy Act (FERPA), the

⁸ For the purposes of this section, proceeding means all activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact-finding investigations, formal or informal meetings, and hearings. Proceeding does not include communications and meetings between officials and the complainant, respondent, and other affected individuals concerning accommodations or supportive measures.

Texas Public Information Act (TPIA), the Texas Education Code Section 51.971, and other applicable confidentiality laws.

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

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

Complaints are initially reviewed by RELLIS TIXC, not only to assess and address safety, but also to determine whether a violation of the System Regulation 08.01.01 and/or any other university rule, SAP, code, or policy could have occurred. During the initial review and preliminary assessment RELLIS TIXC will:

- Inform the complainant about options for formal and informal resolutions and solicit the complainant's preferred method for resolving the matter. Complainants may request a formal resolution, an informal resolution, or

“no resolution” of the allegations of discrimination, harassment, retaliation, and/or complicity.

- Offer assistance to the complainant in submitting a written formal complaint that details the nature and circumstances of the allegations, including the names of the complainants and respondents.

No Resolution

If the complainant requests that no resolution of the allegations occur, the university will seek to honor the request whenever possible without impeding the university’s ability to enhance the safety and security of the complainant and the university community. The university may initiate an investigation based on the seriousness of the allegation, whether or not there are multiple allegations, and/or whether or not a respondent poses a risk of harm to others. RELLIS TIXC will consider the following factors when evaluating such requests:

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

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

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

Informal Resolution

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

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

- Informal resolution is a voluntary process. No party may be compelled to participate in the informal resolution. The university, in consultation with SECO, must agree to allow an informal resolution to move forward and must obtain the parties' voluntary, written consent to the informal resolution process.
- Prior to an informal resolution, the parties will be provided with: (a) written notice of the allegations; (b) the requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations; and (c) the consequences of withdrawing from the informal process and resuming the formal process, and including the records that will be maintained or could be shared.
- Once a party agrees to participate in an informal resolution, they may withdraw from the process at any time prior to a final agreement and resume the formal grievance process. Information shared in the informal resolution process may not be introduced into the formal process without independent evidence.
- Once a final agreement is established through informal resolution, the complaint may not return to the formal complaint process unless one or both parties fail to abide by any conditions established in the agreement.
- Informal resolution options include mediation, restorative conferences, shuttle facilitation, and other forms of facilitated dialogue.
- Mediation may not be used to resolve complaints of rape, statutory rape, dating violence, domestic violence, or any case in which imminent threats of harm may exist.
- The university may not offer an informal resolution process in sex-based complaints unless a formal complaint is filed and may not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

Formal Resolution

The allegations will be considered for investigation pursuant to the following procedures. RELLIS TIXC reserves the right to resolve the complaint informally or

through no resolution if the allegation does not rise to the level of conduct prohibited by System Regulation 08.01.01.

Upon receipt of a report, RELLIS TIXC may consult with the Texas A&M University System Office of General Counsel (OGC) as needed and make a preliminary determination about whether to conduct a formal investigation of the allegations. The preliminary determination may include, but is not limited to, the following:

- An assessment of whether there is sufficient known or obtainable information to proceed with an investigation of the complaint;
- An assessment of whether the allegations are baseless;
- An assessment of whether the allegations, if true, would constitute a violation of System Regulation 08.01.01; and/or
- An assessment of whether a complainant's request for no resolution may be honored.

If it is determined that there is insufficient information to proceed with an investigation; or that the allegations are baseless; or that the allegations, if true, would not constitute conduct prohibited by System Regulation 08.01.01 and/or System Rule 08.01.01.S1 (for Academic Alliance staff and students) and member Rule 08.01.01.H1 (for Academic Alliance faculty), or that an investigation will not occur due to the complainant's request for no resolution, RELLIS TIXC (for staff and students) and Texas A&M University-Texarkana (for faculty) may:

- dismiss the complaint,
- close it for insufficient evidence to investigate or lack of jurisdiction,
- refer the report to a different office at the university (the university office may review the conduct and take appropriate action, including but not limited to, disciplinary action against the respondent for violations of other university rules, codes, regulations, policies, or SAPs, if applicable), or
- with the consent of the parties, as well as the approval of SECO, refer the complaint to informal resolution (cases involving allegations based on sex require the submission of a formal complaint before they may be referred to informal resolution).

RELLIS TIXC will notify the complainant of such action in writing. Complaints that have been dismissed or referred may be appealed in accordance with the appeal procedures section of this policy.

Once it has been determined that the university will proceed with a formal investigation, AP/TIX will appoint the Investigative Authority (IA) within five business days to initiate the process of determining whether a violation of System Regulation 08.01.01 or other university rule, SAP, code, or policy occurred.

AP/TIX (or designee) shall simultaneously notify the complainant(s) and respondent(s) in writing of the commencement of the investigation. The notice of investigation will include:

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

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

If the respondent is an employee, Title IX Coordinator (or designee) shall notify, in writing, the respondent's supervisor that RELLIS TIXC is investigating an allegation that the respondent has engaged in conduct that may be a violation of System Regulation 08.01.01 and/or System Rule 08.01.01.S1 (for Academic Alliance staff and students) and member Rule 08.01.01.H1 (for Academic Alliance faculty), or other university rules, SAPs, codes, or policies.

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

The IA will review the complaint, and conduct a prompt, fair, thorough, and impartial investigation. Abuse of the investigation and resolution process is prohibited and

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

subject to disciplinary action up to and including dismissal or separation from the university. Examples of abuse of process include, but are not limited to:

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

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

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

Witnesses must (1) have observed the acts in question, (2) have information related to or relevant to the incident, or (3) have information about impact, mitigation, aggravation, and/or character in order to participate in the investigation process.

Investigations provide both the complainant and respondent the same opportunities to have others present during any institutional proceeding, including the opportunity

to be accompanied to any related meeting or proceeding by an advisor¹⁰ of their choice. The advisor may be present at any time in which the party participates in the investigation and resolution process, including the filing of the complaint, the interview with the IA, and all other meetings related to the investigation and resolution of the complaint. A party may select any person to be an advisor, including legal counsel.

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

Restrictions regarding the extent to which the advisor will participate in the proceedings may be established and applied equally to both parties. In all instances, the advisor's participation will be limited to the role of an observer, except that the advisor will (1) conduct the cross examination during a hearing on allegations of sexual harassment and sex-based misconduct and (2) provide support and guidance to their party. An advisor can be barred from being present during the investigation and resolution process if, in the judgment of the IA, the DA, the AA, or the Title IX Coordinator, the advisor attempts to advocate on behalf of a party (other than cross-examination) or is otherwise disruptive. All parties, including advisors, are informed of participation restrictions before a proceeding is conducted so that parties understand and respect the limitations.

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

At the request of law enforcement, the university may temporarily defer part or all of the investigation until after the initial evidence-gathering phase of the law enforcement investigation is complete. The IA will communicate with the parties (as appropriate) about the law enforcement agency's request to the extent allowed by

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

law; the university's obligations and supportive measures; procedural options; anticipated timing; and the implementation of any necessary interim measures for the safety and well-being of all affected individuals.

Standards for the resolution of criminal allegations are different than the standards for resolution of a violation of System Regulation 08.01.01 and/or any other university policy, rule, SAP, or code; therefore, the university will not base its decisions on any law enforcement determination and/or the outcomes of any criminal proceedings.

Within thirty business days, the IA will prepare an initial draft investigation report at the conclusion of the investigation and provide it to OGC for review. The initial draft investigation report includes the following but does not contain speculation, opinions, findings, decisions, or recommendations for sanctions¹¹:

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

The IA has the sole discretion to determine the relevance of evidence and whether it should be included in or excluded from the investigation report. OGC will coordinate with SECO and provide its review of the initial draft investigation report to the IA within ten business days.

The IA will have five business days to create a final draft investigation report and share that document electronically with both the complainant, respondent, and their advisors, if any. The university provides parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the university does not intend to rely in reaching a determination

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

regarding responsibility, and inculpatory or exculpatory evidence related to the allegations whether obtained from a party or other source so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation. This includes sending to each party and the party's advisor, if any, the final draft investigation report (with exhibits) subject to inspection and review. Both the report and the collected evidence will be unredacted to the extent allowed by law.

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

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

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

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

have 5 business days to finalize the investigation report and submit it to the parties and to the DA for decision-making and sanctions.

Circumstances may warrant extensions to the timeframes in this section. The IA should send an extension request, if needed, to AP/TIX. Both the complainant(s) and the respondent(s) are notified of any extensions in writing.

The respondent is presumed to not have engaged in prohibited conduct until the DA finds that there is sufficient evidence based on a preponderance of the evidence to find that the respondent has violated System Regulation 08.01.01 and/or System Rule 08.01.01.S1 (for Academic Alliance staff and students) and member Rule 08.01.01.H1 (for Academic Alliance faculty). If violation(s) are found, the DA may issue sanctions.

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

AP/TIX will appoint a university official and/or a hearing officer to be the DA. The university official and/or hearing officer will render decisions in cases with allegations against employees, third parties, and students¹².

The DA will review the unredacted final investigation report, the documentary evidence, the record of the hearing (if applicable), and any other relevant information. The DA or designee will provide the final investigative report and exhibits to the parties. The parties will also be provided with a pre-hearing conference to review the hearing process as well as to explore any available options for informal resolution. The parties have at least 10 business days to review the final investigative report and to respond in writing to the DA (if desired) prior to the hearing. The DA has the sole discretion to determine the relevance of evidence and whether it should be heard at a hearing. Neither the Texas Rules of Evidence nor the federal Rules of Evidence apply in university hearings. At any time prior to the adjudication of a formal complaint, the parties may seek informal resolution to resolve the complaint.

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

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

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

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

The DA will preside over the hearing and make final determinations on the relevance of questions and evidence asked during the cross-examination. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the alleged conduct, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

The DA cannot draw an inference regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

Following the hearing, the DA will develop a draft result¹⁴ (hereafter called decision), based on the preponderance of the evidence, as to a) whether or not the alleged conduct occurred; and b) whether each allegation is substantiated, unsubstantiated, or there is insufficient information to substantiate that the respondent System Regulation 08.01.01 and/or System Rule 08.01.01.S1 (for Academic Alliance staff and students) and member Rule 08.01.01.H1 (for Academic Alliance faculty). If applicable, the DA will also include a decision as to whether the respondent violated any other university regulation, code, policy, SAP,

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

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

or rule. If the DA determines that any regulations, policies, rules, SAPs, or codes have been violated, the DA will consider any information about impact, mitigation, aggravation, and the respondent's character including a decision about sanctions. The DA will submit the draft to SECO within two business days. SECO will have a maximum of three business days to provide feedback to the DA.

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

Decision letters must include (1) identification of the allegations; (2) a description of the procedural steps taken from the receipt of a formal complaint through determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held, if any; (3) a finding for each allegation as to whether the conduct occurred and findings of fact supporting the determination; (4) conclusion regarding the application of the university's conduct standards to the facts; (5) a statement of, and rationale for, the result as to each allegation including a determination regarding responsibility (substantiated, unsubstantiated, or there is insufficient information to substantiate that the respondent violated System Regulation 08.01.01 and/or System Rule 08.01.01.S1 (for AA staff and students) and member Rule 08.01.01.H1 (for Academic Alliance faculty), any disciplinary sanctions the university imposes on the respondent, and whether remedies designed to restore or preserve equal access to the university's education program or activity will be provided by the university to the complainant, and; (6) the university's procedures and permissible bases for the complainant and respondent to appeal the decision and/or sanctions. If it was alleged that any other system regulations or university rules, SAPs, codes, or policies were violated, there will be a statement of responsibility as to these allegations as well. The decision on responsibility made by the DA does not constitute an employment action with respect to faculty and non-faculty employees. Any sanction against an employee,

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

imposed as a result of a substantiated finding, will constitute an employment action.

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

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

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

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

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

The DA will review the unredacted final investigation report, the documentary evidence, and any other relevant information. If the DA has substantial doubts about the thoroughness, fairness, and/or impartiality of the investigation, the DA may refer the matter back to the IA with further instructions, which could include the appointment of a different IA. At any time prior to the adjudication of a formal complaint, the parties may seek an informal resolution to resolve the complaint.

The DA will develop a draft decision, based on the preponderance of the evidence, as to a) a finding for each allegation as to whether conduct occurred; and b) a finding of responsibility for each allegation: substantiated, unsubstantiated, or there is insufficient information to substantiate that the respondent violated System Regulation 08.01.01 and/or System Rule 08.01.01.S1

(for Academic Alliance staff and students) and member Rule 08.01.01.H1 (for Academic Alliance faculty). If it was alleged that any other system regulations or university rules, SAPs, codes, or policies were violated, there will be a statement of responsibility as to these allegations as well.

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

The DA will have five business days to finalize the decision and simultaneously notify the parties, the IA, and any other university official with a need to know, in writing, of the decision and sanctions. In cases in which the allegations are substantiated, the final decision will also be provided to an employee respondent's supervisor. The decision must include any sanctions imposed by the institution. Notwithstanding section 444 of the General Education Provision Act (20 U.S.C. 1232g), commonly referred to as FERPA, in the decision, the DA will state the rationale for the decision and the sanctions, if any. The final decision will include instructions for appealing the decision and/or sanctions.

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

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

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

Sanctioning for Employees: If an employee is found to have engaged in sexual harassment or sex-based misconduct, the sanction will be termination of employment. If an employee is found to have engaged in conduct prohibited by System Regulation 08.01.01 and/or System Rule 08.01.01.S1 (for Academic Alliance staff and students) and member Rule 08.01.01.H1 (for Academic Alliance faculty) (other than sexual harassment and/or sex-based misconduct), the DA may assign appropriate sanction(s) which may have educational, restorative, punitive, and rehabilitative components. Sanctions include a written warning or reprimand, required training and/or attendance at counseling, no contact directives, probation, suspension, and termination.

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

Sanctioning for Students: In all cases, investigations that result in a finding of responsibility, in using the preponderance of the evidence standard (more likely than not that the alleged action took place in violation of the Student Code of Conduct or System Rule 08.01.01.S1 occurred) will lead to the initiation of disciplinary procedures against the accused individual. The sanctions applied will be in accordance with the Model Sanctioning Matrix for Sexual Violence and Sexual Harassment Violations by Students in The Texas A&M University System. University sanctions including one or more of the following may be imposed by the university upon individuals, groups, or organizations. Sanctions for violations may be administered regardless of whether actions of the student are also civil or criminal violations. Whenever disciplinary action leads to the student leaving the university, grades will be assigned in accordance with the university grade policy and the academic calendar.

Sanctions for students may include but are not limited to:

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

For additional information concerning the Model Sanctioning Matrix for Sexual Violence and Sexual Harassment Violations by Students in The Texas A&M University System please visit:

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

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

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

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

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

If the allegations are against a:	Student	Non-Faculty Employee and Third Party	Faculty Employee
Then the AA is:	Provost/Vice Chancellor for Academic Affairs	Provost/Vice Chancellor for Academic Affairs	Director of Human Resources, Texas A&M University-Texarkana

All appeals will be confined to a review of the record from the investigation and any relevant evidence, as well as the DA’s decision as related to the grounds for appeal. The appeal does not create an entitlement to a new investigation. The appeals process carries a presumption that the original decision was correct unless a preponderance of the evidence demonstrates that one or more of the

conditions of the appeal are met and that either or both parties were deprived of a fair process.

Appeals must be submitted in writing and must include a statement outlining the basis for the appeal¹⁶ and any evidence which supports the appeal. Appeals must be filed at the location and within the timeframe dated in the DA's written notice of the decision (within five business days of notification of the decision).

Decisions made by the DA shall not be final until an appeal deadline is passed, or when the appeal process is exhausted, or when all parties choose not to appeal.

To be a valid appeal, the appeal must: (1) be filed at the location and within the time frame stated in the DA's written notice; (2) identify one of the bases for the appeal and (3) provide credible information or evidence substantiating the identified bases for appeal.

If the AA determines that an appeal is not valid, the AA will provide simultaneous written notice to the parties and AP/TIX that no valid appeal was filed, and that the decision of the DA is final, and the case is closed.

If a timely and valid appeal is filed by either party, the other party will be notified as soon as practical thereafter by the AA. The parties will be given three business days to review the appeal and submit a written response a) that provides support for or challenges the decision by the DA, and b) that responds to the appeal bases submitted by the appealing party. Any written response must be submitted to the AA.

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

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

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

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

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

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

¹⁷ If an employee was found to have sexually harassed another member of the university or agency community, the AA may not render a decision which modifies the sanctions.

To the extent reasonably possible:

- For student respondents: The AA will provide the written decision simultaneously to the parties and AP/TIX within ten business days following the three-business day review deadline. AAs are exempt from obtaining OGC review of decisions for student respondents prior to issuance but may request assistance from OGC and SECO when needed.
- For employee or third-party respondents: The AA will provide a draft decision to OGC for review within five business days following the 3-business day review deadline. System Office officials will provide its review of the draft decision to the AA within five business days. To the extent possible, the AA will provide a final written decision simultaneously to the parties and AP/TIX within five business days of receipt of the review from the System Office. If the complaint on appeal is substantiated, the respondent's supervisor will also be informed.

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

Circumstances may warrant extensions to the timeframes outlined in this section. The AA may send an extension request to the office or individual who appointed them with a rationale for an extension. If the extension is granted, the AA will notify the parties and AP/TIX in writing.

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

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

Any student receiving a sanction of separation (expulsion or suspension) pursuant to this regulation may appeal the sanction in accordance with the code of conduct for student grievances, Student Rule 51. Student Conduct Separation and Appeal.

Extensions

The university will make every reasonable effort to comply with the timelines contained in this procedure. However, extensions may be obtained by the IA, DA, or AA, as appropriate under the circumstances. Time frames for the receipt, investigation, and adjudication of complaints may be extended for good cause. Good cause is to be determined by the university in consultation with OGC and

SECO and reasonable extensions may be granted at the discretion of the university. Circumstances that warrant an extension may include, but are not limited to:

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

All requests for extensions must be justified in writing and shall be sent by the IA, DA, or AA to AP/TIX for review and approval by the AP/TIX or designee. AP/TIX will simultaneously notify the complainant and respondent in writing of any extensions and the reason for the extensions.

Dismissals under Title IX

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

Mandatory dismissals

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

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

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

Discretionary dismissals

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

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

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

Written Requests: Crime Disclosures

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

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

Prevention and Awareness Programs¹⁹

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

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

Primary prevention programs include the following: (Texas A&M University-Texarkana)

- The university requires participation in New Hire Orientation which includes Title IX discussions.
- New employees receive primary prevention information through a web based *Creating a Discrimination Free Workplace* training mandated by The

¹⁹ For the purposes of this section awareness programs means community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration. Programs to prevent dating violence, domestic violence, sexual assault, and stalking means comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, assessed for value, effectiveness, or outcome; and consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

Texas A&M University System. All employees are required to complete the training every two years thereafter.

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

Available from TAMUT Campus to RELLIS Academic Alliance students and employees:

UPD Facebook Page

- Periodic posts regarding the monthly focus (Security Awareness, Campus Crime Prevention, VAWA, National Campus Safety, Domestic Violence, Alcohol Awareness, and Bystander Intervention).

CRASE (Civilian Response to Active Shooter) Training

- This training is available to all students and employees of TAMUT. The training course covers the Avoid, Deny, Defend strategy to help survive an active shooter event. Multiple sessions are provided throughout the year.

UPD Introduction to Parents and Students

- This session discusses UPD's general job description and services offered such as flat assist, battery boosts, and lock picking. Drugs and alcohol are also discussed with the consequences of being caught on campus explained to both students and parents.

Safe Eagles Session

- This session, hosted by the University Police Department, goes over critical information everyone needs to know in the unlikely event of an emergency situation on campus. Covering topics from active shooter response to weather-related emergencies, this session will give you the "need to know" so that you will know how to respond if there is an emergency.

Location-based Personal Safety (as requested)

- Faculty, Staff, and Students can request one-on-one meetings with Chief Serrano or a UPD Officer to visit their on-campus location to review their evacuation options and teach best practices for personal safety and self-defense using the items present in their offices or dorm room.

See Something, Say Something

- Training is provided to all students living in the Residence Hall, which aims to remind students that Residential Advisors are available to help with safety concerns. It is reinforced that residents should report any issues to staff so that other residents can receive aid and support.

Campus Resource & Prevention Conversations

- Campus resource and prevention conversations with University Police Chief and Assistant Vice President of Student Affairs, to discuss crime prevention strategies, campus resources, and sexual assault resources.

Step Up! It's on us!

- Aims to educate and reshape attitudes and behaviors toward social interactions. This program wants to counteract the bystander effect on the campus and train and teach students how to do so.

So You're an Adult Now..." Game Show

- This event, hosted by First Year Experience, covers campus crime prevention and bystander intervention in a Family-Feud style role-playing game

"Poetry as Protest" a Spoken Word Workshop

- Students discuss topics addressing hate crimes using poetry

"Be A Difference Maker" Keynote with Kathryn Montgomery

- This session addresses topics such as sexual assault prevention, discrimination, and bystander intervention for incoming first-year students

Bystander Intervention and Risk Reduction²⁰

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

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

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

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

16.

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?

²⁰ For the purposes of this section bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

Definitions of Clery Act Offenses

Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape. A sex offense is any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent (see consent section below).

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

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

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

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

Consent: Texas A&M University System Regulation

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

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

Texas Penal Code

According to the Texas Penal Code, Sec. 1.02. Objectives of Code, the general purposes of the Texas Penal Code are to establish a system of prohibitions, penalties, and correctional measures to deal with conduct that unjustifiably and inexcusably causes or threatens harm to those individuals 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 organs of another person, including the actor.

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

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

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

- (3) the other person has not consented, and the actor knows the other person is unconscious or physically unable to resist;
- (4) the actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it;
- (5) the other person has not consented, and the actor knows the other person is unaware that the sexual assault is occurring;
- (6) the actor has intentionally impaired the other person's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge;
- (7) the actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat;
- (8) the actor is a public servant who coerces the other person to submit or participate;
- (9) the actor is a mental health services provider or a health care services provider who causes the other person, who is a patient or former patient of the actor, to submit or participate by exploiting the other person's emotional dependency on the actor;
- (10) the actor is a clergyman who causes the other person to submit or participate by exploiting the other person's emotional dependency on the clergyman in the clergyman's professional character as a spiritual adviser;
- (11) the actor is an employee of a facility where the other person is a resident, unless the employee and resident are formally or informally married to each other under Chapter 2, Family Code; or
- (12) the actor is a health care services provider who, in the course of performing an assisted reproduction procedure on the other person, uses human reproductive material from a donor knowing that the other person has not expressly consented to the use of material from that donor.
- (13) the actor is a coach or tutor who causes the other person to submit or participate by using the actor's power or influence to exploit the other person's dependency on the actor; or
- (14) the actor is a caregiver hired to assist the other person with activities of daily life and causes the other person to submit or participate by exploiting the other person's dependency on the actor.

(c) In this section:

- (1) "Child" means a person younger than 17 years of age.
- (2) "Spouse" means a person who is legally married to another.
- (3) "Health care services provider" means:
 - (A) a physician licensed under Subtitle B, Title 3, Occupations Code;
 - (B) a chiropractor licensed under Chapter 201, Occupations Code;
 - (C) a physical therapist licensed under Chapter 453, Occupations Code;

- (D) a physician assistant licensed under Chapter 204, Occupations Code; or
 - (E) a registered nurse, a vocational nurse, or an advanced practice nurse licensed under Chapter 301, Occupations Code.
- (4) "Mental health services provider" means an individual, licensed, or unlicensed, who performs or purports to perform mental health services, including a:
- (A) licensed social worker as defined by Section 505.002, Occupations Code;
 - (B) chemical dependency counselor as defined by Section 504.001, Occupations Code;
 - (C) licensed professional counselor as defined by Section 503.002, Occupations Code;
 - (D) licensed marriage and family therapist as defined by Section 502.002, Occupations Code;
 - (E) member of the clergy;
 - (F) psychologist offering psychological services as defined by Section 501.003, Occupations Code; or
 - (G) special officer for mental health assignment certified under Section 1701.404, Occupations Code.
- (5) "Employee of a facility" means a person who is an employee of a facility defined by Section 250.001, Health and Safety Code, or any other person who provides services for a facility for compensation, including a contract laborer.
- (6) "Assisted reproduction" and "donor" have the meanings assigned by Section 160.102, Family Code.
- (7) "Human reproductive material" means:
- (A) a human spermatozoon or ovum; or
 - (B) a human organism at any stage of development from fertilized ovum to embryo.
- (d) It is a defense to prosecution under Subsection (a)(2) that the conduct consisted of medical care for the child and did not include any contact between the anus or sexual organ of the child and the mouth, anus, or sexual organ of the actor or a third party.
- (e) It is an affirmative defense to prosecution under Subsection (a)(2):
- (1) that the actor was the spouse of the child at the time of the offense; or
 - (2) that:
 - (A) the actor was not more than three years older than the victim and at the time of the offense:

- (i) was not required under Chapter 62, Code of Criminal Procedure, to register for life as a sex offender; or
 - (ii) was not a person who under Chapter 62, Code of Criminal Procedure, had a reportable conviction or adjudication for an offense under this section; and
- (B) the victim:
- (i) was a child of 14 years of age or older; and
 - (ii) was not:
 - (a) a person whom the actor was prohibited from marrying or purporting to marry or with whom the actor was prohibited from living under the appearance of being married under Section 25.01; or
 - (b) a person with whom the actor was prohibited from engaging in sexual intercourse or deviate sexual intercourse under Section 25.02.

Text of subsection as amended by Acts 2019, 86th Leg., R.S., Ch. 436 (S.B. 1259), Sec. 2

(f) An offense under this section is a felony of the second degree, except that an offense under this section is:

- (1) a felony of the first degree if the victim was:
 - (A) a person whom the actor was prohibited from marrying or purporting to marry or with whom the actor was prohibited from living under the appearance of being married under Section [25.01](#); or
 - (B) a person with whom the actor was prohibited from engaging in sexual intercourse or deviate sexual intercourse under Section 25.02; or
- (2) a state jail felony if the offense is committed under Subsection (a)(1) and the actor has not received express consent as described by Subsection (b)(12).

Text of subsection as amended by Acts 2019, 86th Leg., R.S., Ch. 738 (H.B. 667), Sec. 2

(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:

- (1) a person whom the actor was prohibited from marrying or purporting to marry or with whom the actor was prohibited from living under the appearance of being married under Section 25.01; or
- (2) a person with whom the actor was prohibited from engaging in sexual intercourse or deviate sexual intercourse under Section 25.02.

Indecent Assault is defined in the Texas Penal Code, Section 22.012 as follows.

(a) A person commits an offense if, without the other person's consent and with the intent to arouse or gratify the sexual desire of any person, the person:

- (1) touches the anus, breast, or any part of the genitals of another person;

- (2) touches another person with the anus, breast, or any part of the genitals of any person;
 - (3) exposes or attempts to expose another person's genitals, pubic area, anus, buttocks, or female areola; or
 - (4) causes another person to contact the blood, seminal fluid, vaginal fluid, saliva, urine, or feces of any person.
- (b) An offense under this section is a Class A misdemeanor.
- (c) If conduct that constitutes an offense under this section also constitutes an offense under another law, the actor may be prosecuted under this section, the other law, or both.

Aggravated Sexual Assault is defined in the Texas Penal Code, Section 22.021 as follows.

- (a) A person commits an offense:
- (1) if the person:
 - (A) intentionally or knowingly:
 - (i) causes the penetration of the anus or sexual organ of another person by any means, without that person's consent;
 - (ii) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent;
 - or
 - (iii) causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or
 - (B) regardless of whether the person knows the age of the child at the time of the offense, intentionally or knowingly:
 - (i) causes the penetration of the anus or sexual organ of a child by any means;
 - (ii) causes the penetration of the mouth of a child by the sexual organ of the actor;
 - (iii) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor;
 - (iv) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or
 - (v) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor; and
 - (2) if:
 - (A) the person:
 - (i) causes serious bodily injury or attempts to cause the death of the victim or another person in the course of the same criminal episode;

- (ii) by acts or words places the victim in fear that any person will become the victim of an offense under Section 20A.02(a)(3), (4), (7), or (8) or that death, serious bodily injury, or kidnapping will be imminently inflicted on any person;
 - (iii) by acts or words occurring in the presence of the victim threatens to cause any person to become the victim of an offense under Section 20A.02(a)(3), (4), (7), or (8) or to cause the death, serious bodily injury, or kidnapping of any person;
 - (iv) uses or exhibits a deadly weapon in the course of the same criminal episode;
 - (v) acts in concert with another who engages in conduct described by Subdivision (1) directed toward the same victim and occurring during the course of the same criminal episode; or
 - (vi) with the intent of facilitating the commission of the offense, administers or provides to the victim of the offense any substance capable of impairing the victim's ability to appraise the nature of the act or to resist the act;
- (B) the victim is younger than 14 years of age, regardless of whether the person knows the age of the victim at the time of the offense; or
- (C) the victim is an elderly individual or a disabled individual.

(b) In this section:

- (1) "Child" has the meaning assigned by Section 22.011(c).
- (2) "Elderly individual" has the meaning assigned by Section 22.04(c).
- (3) "Disabled individual" means a person older than 13 years of age who by reason of age or physical or mental disease, defect, or injury is substantially unable to protect the person's self from harm or to provide food, shelter, or medical care for the person's self.

(c) An aggravated sexual assault under this section is without the consent of the other person if the aggravated sexual assault occurs under the same circumstances listed in Section 22.011(b).

(d) The defense provided by Section 22.011(d) applies to this section.

(e) An offense under this section is a felony of the first degree.

(f) The minimum term of imprisonment for an offense under this section is increased to 25 years if:

- (1) the victim of the offense is younger than six years of age at the time the offense is committed; or
- (2) the victim of the offense is younger than 14 years of age at the time the offense is committed, and the actor commits the offense in a manner described by Subsection (a)(2)(A).

Prohibited Sexual Conduct is defined in the Texas Penal Code, Section 25.02 as follows.

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

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

Dating Violence is defined in the Texas Family Code, Section 71.0021 as follows.

- (a) "Dating violence" means an act, other than a defensive measure to protect oneself, by an actor that:
- (1) is committed against a victim or applicant for a protective order:
 - (A) with whom the actor has or has had a dating relationship; or
 - (B) because of the victim's or applicant's marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and
 - (2) is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the victim or applicant in fear of imminent physical harm, bodily injury, assault, or sexual assault.

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

- (1) the length of the relationship;
- (2) the nature of the relationship; and
- (3) the frequency and type of interaction between the persons involved in the relationship.

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

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

Family Violence is defined by the Texas Family Code, Section 71.004 as follows.

- (1) an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself;
- (2) abuse, as that term is defined by Sections 261.001(1)(C), (E), (G), (H), (I), (J), (K), and (M), by a member of a family or household toward a child of the family or household; or
- (3) dating violence, as that term is defined by Section 71.0021.

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

identities to the victim. Any incident meeting this definition is considered to be a crime for the purposes of Clery Act reporting.

Stalking is defined in the Texas Penal Code, Section 42.072 as follows.

(a) A person commits an offense if the person, on more than one occasion and pursuant to the same scheme or course of conduct that is directed 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 contain 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.
- (8) publishes on an Internet website, including a social media platform, repeated electronic communications in a manner reasonably likely to cause emotional distress, abuse, or torment to another person unless the communications are made in connection with a matter of public concern.

(b) In this section:

- (1) "Electronic communication" means a transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic, or photo-optical system. The term includes:
 - (A) a communication initiated through the use of electronic mail, instant message, network call, a cellular or other types of telephone, a computer, a camera, text message, a social media platform or

application, an Internet website, or any other Internet-based communication tool, or facsimile machine; and

(B) a communication made to a pager.

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

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

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

(1) the actor has previously been convicted under this section; or

(2) the offense was committed under Subsection (a)(7) or (8) and:

(A) the offense was committed against a child under 18 years of age with the intent that the child:

(i) commit suicide; or

(ii) engage in conduct causing serious bodily injury to the child; or

(B) the actor has previously violated a temporary restraining order or injunction issued under Chapter 129A, Civil Practice and Remedies Code.

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

The Daily Crime Log

The Assistant Provost at RELLIS (or other trained personnel) publishes a Daily Crime Log for RELLIS that is available to the media, the public, and campus offices free of charge. This summary identifies the nature of the crime, location, date, and time occurred, the date the crime was reported to the UPD, and disposition. A printed copy of this report may be viewed by the public during business hours at the Academic Complex Bldg. 1, Room 117K located at 1425 Bryan Ave., Bryan, TX 77807, or obtained by calling 979-317-3402. The RELLIS crime log is published online at: <https://rellis.tamus.edu/clery/>.

Sex Offenders

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

The Texas Department of Public Safety (DPS) is the official Texas internet source for Sex Offender Registration information. The Sex Offender Registration open

record information is extracted from the DPS Sex Offender Registration Database. The DPS maintains files based on registration information submitted by criminal justice agencies and represents a statewide source of information on sex offenders required by law to register. The DPS Texas Public Sex Offender Registry website is found at:

<https://publicsite.dps.texas.gov/SexOffenderRegistry>.

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

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

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

Bryan Police Department – 979-209-5300

College Station Police Department – 979-764-3600

Blinn College Police Department – 979-361-3888

Disclosure of Crime Statistics

The following statistics include all incidents of Clery Act crimes reported to the institution that occurred within the campus' Clery Act locations, regardless of whether the individual reporting was a member of the campus community and regardless of whether the individual chose to move forward with the criminal justice or campus disciplinary proceedings. To prepare for the annual disclosure of crime statistics, the institution collects information from internal sources such as campus police and other campus security authorities and requests information from external sources such as local law enforcement. Some local law enforcement agencies did not respond to the institution's request for statistics or did not respond with a format usable for Clery crime reporting.

Texas A&M University-Texarkana RELLIS Campus – Reportable Crimes

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

Arrests and Disciplinary Referrals			
Offense	Year	On Campus Property	Public Property
Arrests: Weapons Carrying, Possessing, etc.	2020	0	0
	2021	0	0
	2022	0	0
Disciplinary Referrals: Weapons Carrying, Possessing, etc.	2020	0	0
	2021	0	0
	2022	0	0
Arrests: Drug Abuse Violations	2020	0	0
	2021	0	0
	2022	0	0
Disciplinary Referrals: Drug Abuse Violations	2020	0	0
	2021	0	0
	2022	0	0
Arrests: Liquor Law Violations	2020	0	0
	2021	0	0
	2022	0	0
Disciplinary Referrals: Liquor Law Violations	2020	0	0
	2021	0	0
	2022	0	0
Violence Against Women Reauthorization Act of 2013 (VAWA) Offenses			
Offense	Year	On Campus Property	Public Property
Domestic Violence	2020	0	0
	2021	0	0
	2022	0	0
Dating Violence	2020	0	0
	2021	0	0
	2022	0	0
Stalking	2020	0	0
	2021	5	0
	2022	1	0

The following are in reference to the reportable crime's tables.

* In 2022, 2021, and 2020 there were no reported criminal incidents involving hate/bias.

Unfounded crimes are crimes that sworn or commissioned law enforcement personnel have investigated and made a formal determination that the report is false or baseless and are, therefore, subsequently withheld from Clery crime statistics. Following are the unfounded crimes as reported for all Texas A&M University RELIS campus Clery Act locations and Clery Act offenses:

- Calendar year 2022: 0 unfounded crimes
- Calendar year 2021: 0 unfounded crimes
- Calendar year 2020: 0 unfounded crimes

Crime Prevention and Security Awareness

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

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

A primary goal of UPD is the prevention of crime before it occurs. Because UPD officers cannot be everywhere all the time, they need the help of all members of the university community to take an active role in their personal safety and property protection. Crime prevention is important to the campus community, and you can help by reporting any crime or suspected crime immediately is helpful to UPD (or to the UPD and BCPD officers located at RELLIS for crimes occurring at RELLIS) and may prevent someone else from becoming a victim of a more serious crime.

The UPD's Community Services Unit, within the Special Operations Section, is staffed by officers who are state Certified Crime Prevention Specialists, who continually present programs covering crime prevention and security information to students, staff, faculty, and to the community at large. These Crime Prevention Specialists are dedicated full-time to crime prevention efforts and programs. They participate in and provide information during new and transfer student orientation, and international student orientation, in addition to a number of other programs scheduled annually with student, staff, and faculty organizations. In these sessions, information is provided regarding campus security procedures and practices. The Campus Safety Awareness Series is another opportunity for the campus community to get to know UPD officers, ask questions about security procedures and practices, and/or voice concerns. For additional information or to schedule a program you are encouraged to call the Community Services Unit at 979-458-6875.

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

- Personal Safety Awareness – scheduled upon request

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

UPD typically offers a variety of crime prevention programs and services to Texas A&M University students and employees. The programs are designed to encourage students and employees to be responsible for their own security and the security of others. Due to COVID-19, the availability of the following programs or service requests may be restricted to online only or unavailable if the request cannot meet COVID-19 guidelines. In-person requests that cannot meet the COVID-19 guidelines will resume once it is safe for all involved.

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

- Apartment and Home or Residence Hall Security – scheduled upon request
- Robbery Prevention – scheduled upon request
- Workplace Crime Prevention – scheduled upon request
- Bicycle Registration – see description below

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

Important Telephone Numbers for RELLIS Campus support in Bryan, TX

Local supporting agencies include TAMU College Station University Police Department, Blinn College, and the City of Bryan, TX.

Area Code 979 (for all numbers listed below)

Emergencies- Police/Fire/Medical	911 for off-campus; 911 or 9-911 for on campus	University Police Department	845-2345
Bryan Police (non-emergency)	361-3888	Blinn College Police Department (at RELLIS)	209-7600
Brazos County Sheriff (non-emergency)	361-4980	University Police Department (at RELLIS)	845-2345
College Station Police (non-emergency)	764-3600	Student Health Services	458-8250
Crime Stoppers 775-TIPS	775-8477	Health Promotion (Counseling & Referral, Alcohol & other Drugs)	845-0280

Department of Public Safety 776-3100
(State Troopers)

Student Conduct Office 847-7272

FBI 776-8894

Counseling and Psychological Services (CAPS) 845-4427

Bryan Fire 209-5960

Facilities Services (Aggie Works) 845-4311

Brazos County Fire (Rural) 361-3888

Transportation Services 845-9700

College Station Fire 764-3700

Parking 862-7275

Paratransit 845-1971

CARPOOL (10pm-3am on Thursday, Friday and Saturday) 693-9905

Transit (Bus) Helpline / 847-7433

Environmental Health & Safety 845-2132

Information

Campus Information/Student Locator 845-3211

Department of Civil Rights and Equity Investigations 458-8407

APPENDIX B

TEXAS A&M UNIVERSITY – TEXARKANA AT NORTHEAST TEXAS COMMUNITY COLLEGE ANNUAL SECURITY REPORT 2023



Northeast Texas Community College Campus

As a result of the academic partnership between Northeast Texas Community College (NTCC) and Texas A&M University-Texarkana (TAMUT), guided pathways have been developed between NTCC and TAMUT faculty and staff through which students can earn their associate degree with NTCC and then transfer to TAMUT to complete their baccalaureate degree. For selected guided pathways, the bachelor's degree can be completed on the NTCC campus with a combination of face-to-face, web-enhanced (50% online with 50% face-to-face), and/or web-based (100% online) courses. No matter the delivery method,

students earning bachelor's degrees on the NTCC campus in Mount Pleasant will be taught by outstanding faculty using best-practice strategies.

TAMUT has also partnered with NTCC on guided pathway plans for additional bachelor's degree options that require travel to TAMUT's main campus in Texarkana, Texas. All coursework for NTCC's associate degree plans can be completed on the NTCC campus in Mount Pleasant, Texas. Students are only required to travel for the TAMUT courses not offered through distance education formats.

Additional information is available from TAMUT staff located on the NTCC campus by contacting sreynolds@tamut.edu for assistance. A total of three full-time staff and one full-time faculty are located on-site, with six classrooms currently utilized by TAMUT. Offices utilized by TAMUT staff and faculty include 107, 108, 109, 110, 111, 112, and 113 in the University and Health and Science Building (UHS). Classrooms utilized by TAMUT staff, faculty, and students include the following also located in the UHS building: 149, 150, 151, 152, 154, and 155. The physical address is 2886 FM 1735, Mount Pleasant, Texas 75455.

Faculty, staff, and students of TAMUT at the NTCC campus are provided the same policies, procedures, and rights as those at the Texarkana campus. Students of TAMUT at NTCC must follow the TAMUT Code of Conduct. Both NTCC and TAMUT reserve the right to proceed with disciplinary and investigative processes according to their institution's policies and procedures for students dually enrolled by each campus.

However, TAMUT Faculty, Staff, and Students at NTCC must adhere to the NTCC emergency response and evacuation procedures, and facility, safety, and security policies while on the NTCC campus. This information, along with NTCC's drug, alcohol, and weapons policies, is included for your reference below. The crime statistics for the classrooms and offices occupied by TAMUT faculty and students are included at the end of this appendix. If you would like to see NTCC's Annual Security and Safety report, showing crime statistics for their entire campus, please visit: <https://www.ntcc.edu/about-us/campus-security/security-stats>.

Preparation of the Annual Security and Fire Safety Report and Disclosure of Crime Statistics

The Texas A&M University-Texarkana (TAMUT) Clery Compliance Officer, in conjunction with the Clery Act Compliance Committee, prepares this report on an annual basis to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act). This report is prepared with the cooperation of the University Police Department, Office of Student Life, Office of

Residence Life, Office of Admissions, Human Resources, Athletics Department, and Director of Title IX, with input from NTCC personnel.

Campus crime statistics, including arrests and referrals for judiciary sanction, include those reported while students traveled for university business, those reported to local police near or adjacent to the university-owned or controlled property, and crimes reported to designated campus officials and campus security authorities for the TAMUT at NTCC campus. Designated campus officials and campus security authorities include the TAMUT at NTCC Program Director, Coordinator of Student Engagement and Transfer Programs, TAMUT Police Officers and Security Personnel, Human Resource Officers, Director of Title IX, Deans, Advisors to student organizations, among others designated by the university. Campus Security Authorities receive training on an annual basis regarding the Clery Act.

Policy statements in this Annual Security Report are relevant to Texas A&M University-Texarkana students, faculty, and staff located at NTCC and reflect the same policies, practices, and services that are applicable to Texas A&M University-Texarkana unless otherwise stated. Students and employees of NTCC are not enrolled in or employed by Texas A&M University-Texarkana, therefore, may have differing policies, practices, and services provided by other entities that are not required to be disclosed in this Annual Security Report.

Annual Security Report Notifications

Each year, an email notification is sent to all enrolled students that provides the link to the Annual Security and Fire Safety Report (ASFSR). Faculty and Staff also receive an email notification with the same link. The Admissions Office webpage on the TAMUT website also gives the website address for the ASFSR. Prospective employees are provided with this information in the application process online as well as in job application packets. A paper copy of the ASFSR can be obtained at the University Police Department in the Central Plant Building, located at the main campus at 7101 University Avenue, Texarkana, Texas, 75503.

TAMUT is committed to putting the health and safety of our students, employees, and visitors above all other priorities. This report is designed to inform students and employees of various safety policies, procedures, and prevention methods employed by the University. This report also informs students, employees, and visitors of the type and amount of crime that has occurred on the A&M at NTCC campus, non-campus property, and public property surrounding the A&M at NTCC campus, within the last three years.

NTCC (Northeast) Campus Security Department

The NTCC Security Department provides law enforcement and security services to all components of the NTCC Campus, including buildings and areas occupied by TAMUT students and employees.

It is the desire of Northeast to promote a safe and secure environment for the students, faculty, and staff. The Campus Security Department is committed to being a sensitive, caring, and impartial security organization. The department is dedicated to the highest level of professionalism and uncompromising integrity.

Northeast has a full-time Campus Security Department. The department consists of four full-time security officers and part-time officers as needed. The department is a level three security department licensed under a government letter of authority from the Texas Department of Public Safety, Private Security Bureau.

Campus Security possesses the authority outlined under Texas Occupations Code 1702. The Campus Security Department is not a police/law enforcement agency. The Security Department does not have the power to arrest; however, if necessary, they will detain them until law enforcement arrives. Campus Security's jurisdiction is limited to the Northeast campus; however, since the security officers are without powers of arrest, local law enforcement will maintain primary jurisdiction and have greater response obligations.

Campus Security will report all crimes occurring on campus to appropriate police agencies; pursue cooperative relationships with municipal, county, state, and federal law enforcement agencies; and when requested, will aid in any investigations or apprehensions on the campus. Students and employees will be encouraged to report crimes on Campus-to-Campus Security and to appropriate police agencies.

Northeast has primary responsibility for the safety and wellbeing of the TAMUT at NTCC campus community. Northeast works closely with the Titus County Sheriff's Department and other law enforcement agencies. Campus Security patrols on campus 24 hours a day, in vehicles and on foot, providing around-the-clock protection. Campus Security works to safeguard the campus community and enforce college rules and regulations. Campus Security investigates all reported criminal activities and emergencies occurring on campus.

Northeast Texas Community College does not have any agreements with local Police Departments regarding the investigation of an alleged criminal offense.

NTCC (Northeast) Incident Reporting and Response

Regular Reporting Procedures

Any on-campus emergency, criminal offense, or suspected criminal activity should be reported immediately. A&M at NTCC students are encouraged to report this information to either Northeast Campus Security (dial 8127 from a campus phone or 903-434-8127 from any other phone. Text messages can be sent to 903-563-1417) or by using the RED emergency phones mounted on Student Services Center, Business Technology, Math/Science, Resident Hall East, and FIT buildings. You can also call the Titus County Sherriff's Office by dialing 911. In addition, you can report a crime to the following areas:

- TAMUT Administrative Coordinator (A&M at NTCC Office) 903.434.8357
- TAMUT University Police Department (located at the Texarkana campus (903-334-6611)
- TAMUT Associate Provost
- TAMUT Dean of Students / Assistant Vice President of Student Life 903.223.3062 (located at the Texarkana Campus)
- TAMUT Director of Human Resources (located at the Texarkana Campus) 903-223-3012
- NTCC Office of Senior Vice-President for Student Success 903-434-8186
- NTCC Director of Plant Services Office 903-434-8173
- NTCC Office of Administrative Services 903-434-8106
- NTCC Human Resources Department 903-434-8121
- NTCC Director of Student Diversity and Inclusion 903-434-8265

Once a crime report has been made, the Northeast Campus Security Department must be notified immediately. Security will investigate the crime to determine its validity and take proper actions based on the findings. All reports occurring on A&M at NTCC controlled property on the NTCC campus will be shared with TAMUT and included in the A&M at NTCC Annual Security Report (ASFSR) crime statistics disclosure.

If a crime is not reported promptly, evidence may be destroyed, leads could be missed, and the potential to apprehend a suspect could be lost. Only by knowing what is really happening in the campus community can steps be taken to help solve, reduce, or prevent crimes from happening in the first place. Crimes that are not reported to authorities could give the campus community a false sense of safety. We encourage you to report any and all violations, even if the victim elects not to, or is unable to, make such a report.

Reporting Criminal Offenses to TAMUT at NTCC (Northeast) Campus Security Authorities

TAMUT encourages anyone who is a victim or witness to any crime to report the incident to the police accurately and promptly. As an option, criminal offenses may also be reported to designated TAMUT Campus Security Authorities (CSA's) including, but not limited to, the Human Resources Offices, Program Directors, and Advisors to student organizations. If a crime is reported to CSA, they must, in turn, notify the TAMUT University Police Department via the designated CSA reporting form. If the reporting person does not want a police investigation, one will not be triggered by the CSA report, where permissible by law. The reported information will be included anonymously in the annual crime statistics disclosure within the ASFSR. University Counselors are also encouraged to advise victims of crimes of the option to anonymously submit reports via the CSA channels for inclusion in the annual crime statistics disclosure. The TAMUT University Police Department, Student Services Office, and Campus Security Authorities will accept all confidential and anonymous reports of crime for inclusion in the annual crime statistics disclosure within the ASFSR.

Brief CSA Contact List for Quick Access – A&M- Texarkana at NTCC

(Not a full or comprehensive list)

Title	Phone Number
Coordinator of Student Engagement-Transfer Student Programs Office: University Health Science 111, NTCC	903-434-8354
Transfer Admissions Counselor Office: UHS 109, NTCC	902-434-8353
Administrative Coordinator UHS 109, NTCC	903-434-4426
Title IX Coordinator UC 414K, TAMUT Main Campus	903-334-6755
Director of Human Resources CP 163, TAMUT Main Campus	903-223-3012

Confidential and Anonymous Reporting of Crimes

If you are a victim of a crime and do not want to pursue action within the University System or the Criminal Justice System, you may still file a confidential report. You can contact the Northeast Security Department, TAMUT University Police Department, or any of the TAMUT Campus Security Authorities and report a crime without revealing your identity. The University can then keep an accurate record of the number of crimes, reveal crime patterns, and be able to alert the campus community to potential dangers. Felony Crimes on-campus can also be reported anonymously by calling the local Crime Stoppers number: 903-575-2141.

The Daily Crime Log

TAMUT University Police Department maintains a Daily Crime Log which is updated each business day and contains all crimes reported to the department. This log contains every reported crime on the university-controlled property (including A&M at NTCC controlled spaces, and other locations not on the main Texarkana campus) and is not limited to Clery Reportable Crime categories. The log identifies the nature of the crime, the location it occurred, the date and time it occurred, the date and time it was reported to the University Police Department, and the disposition. The Daily Crime Log is located in the Central Plant in the University Police Department's main office at 7101 University Avenue, Texarkana, TX 75503. The Daily Crime Log is available for review upon request.

Missing Students

The TAMUT Missing Student Notification Policy contains procedures for missing students who reside in on-campus housing. On-campus housing is offered in Texarkana at the Bringle Lake Village Residence Hall on the main campus. There are no TAMUT student housing facilities located in Mount Pleasant at this time. The purpose of this policy is to promote the safety and welfare of students.

Whom to Report Missing Students:

If a member of the TAMUT campus community has reason to believe that a student who resides in on-campus housing is missing, he or she should notify the University Police Department at 903-334-6611 and the Residence Life Coordinator at 903-223-1355 so they can investigate whether the student is actually missing.

If the University Police Department determines that a student is missing and has been for more than 24 hours, the University Police Department will notify the student's designated Missing Persons Emergency Contact no later than 24 hours

after the student is determined to be missing. When students move in to the Bringle Lake Village Residence Hall, they are given housing-related forms to fill out and return to Bringle Lake Village Residence Hall Staff upon completion of check-in. Included in the student's Bringle Lave Village housing packet, there is a form that gives students the option to identify a "Missing Persons Emergency Contact." This additional "Missing Persons Emergency Contact" can be any individual that the student wishes, including friends, relatives, or parents. This designation permits the University Police Department to confidentially contact their Missing Persons Emergency Contact in the event the student is determined to be missing for 24 hours. Students can change their Missing Students Emergency Contact anytime by contacting the Residence Life Coordinator in writing. If a student has identified such an individual, the University Police Department will notify that individual no later than 24 hours after the student has been determined to be missing.

If the missing student is under the age of eighteen and is not an emancipated (independent legal status) individual, the University Police Department will notify the student's parent or legal guardian immediately after the student has been determined to be missing for 24 hours. The University Police Department will also notify the Texarkana Texas Police Department once it has been determined that a student has been missing for more than 24 hours.

Timely Warning Policy

The TAMUT University Chief of Police or a designee will develop Timely Warning Notices for the university community, to notify members of the community about serious crimes against people that occur on-campus or contiguous to campus, where it is determined that the incident may pose a serious or ongoing threat to members of the university community. These warnings will be distributed if the incident is reported either to the University Police Department directly or to the University Police Department indirectly through a Campus Security Authority or any local police agency. The Chief will determine if the release of the Timely Warning Notice would compromise law enforcement efforts and determine the appropriate time for the release to be made. TAMUT will issue Timely Warning Notices anytime a Clery-reportable crime is reported on campus, to a CSA, or to the University Police Department that may pose an ongoing serious threat to students, employees, or other members of the campus community, including guests such as persons attending campus events or sporting events. Clery reportable crimes include:

1. Criminal homicide – Murder, Non-negligent Manslaughter, Manslaughter by Negligence

2. Sexual Assault – Rape, Fondling, Incest, Statutory Rape
3. Robbery
4. Aggravated Assault
5. Burglary
6. Motor Vehicle Theft
7. Arson
8. Hate Crimes

A Timely Warning Notice will typically include the following unless issuing any of this information would risk compromising law enforcement efforts:

- Date and time or timeframe of the incident
- A brief description of the incident
- Information that will promote safety and potentially aid in the prevention of similar crimes
- Suspect description(s) when deemed appropriate and if there is sufficient detail
- Police/Public Safety agency contact information
- Other information as deemed appropriate by the Chief or his/her designee

The TAMUT University Police Department Chief of Police or designee reviews all reports to determine if there is a serious or ongoing threat to the community and if the distribution of a Timely Warning Notice is warranted. Timely Warning Notices may also be posted for other crime classifications, as deemed necessary.

The University Police Department will draft the Timely Warning Notice and will email the proposed Timely Warning Notice to the President's Office, Vice President for Finance and Administration, and the Communications Manager. After review or revision, the Communications Manager will transmit the email containing the Timely Warning Notice to the University community as a blast email, text message or phone call, or any combination of the three methods of communication. Updates to the TAMUT community about any particular case resulting in a Timely Warning Notification also may be distributed electronically via blast email, text message, and phone call, and/or posted on the University's website.

Timely Warning Notifications may also be posted in campus buildings when deemed necessary. When a Timely Warning Notification is posted in campus buildings, it shall be printed on orange paper and be posted in the lobby/entrance area of the affected building(s) for seven (7) days. Copies of the Timely Warning

Notification are stored electronically and filed in the case jacket with the corresponding incident report.

The Family Educational Rights and Privacy Act (FERPA) does not preclude an institution's compliance with the Timely Warning provision of the Clery Act campus security regulations. FERPA recognizes that information can, in case of an emergency, be released without consent when needed to protect the health and safety of others. In addition, if institutions utilize information from the records of a campus law enforcement unit to issue a Timely Warning Notification, FERPA is not implicated as those records are not protected by FERPA. See [34 CFR.99.36 and 99.8].

The Violence Against Women Act (VAWA) requires that the University Police Department withhold the name of victims as confidential in a Timely Warning Notification. There is no requirement to withhold the perpetrator's name from the Timely Warning Notification.

Immediate Notification Policy

Upon notification of an emergency, it shall be the responsibility of the Chief of Police, any University Police Department Officer, or an institutional official to verify the situation or incident on campus to determine if the significant emergency or dangerous situation may involve an immediate or ongoing threat to the health and safety of students, employees, and visitors on campus. This process involves an actual observation of the event or an update from the local law enforcement agencies surrounding campus. Confirmation does not necessarily mean that all of the pertinent details are known or even available. The Chief of Police or his designee shall determine whether an emergency communication is warranted. Once the emergency is verified and warranted, the Chief of Police or his designee will determine the appropriate segment or segments of the community to receive the notification. The entire campus community will be notified when there is at least the potential that an exceptionally large segment of the community will be affected by a situation or when a situation threatens the operation of the campus as a whole.

There will be a continuing assessment of the situation and additional segments of the campus community may be notified if a situation warrants. The University Police Department will determine how much information is appropriate to disseminate at different points in time during the emergency. Keep in mind, the segments of our community targets may differ. For example, in the case of an approaching tornado, we may want to tell dorm residents to take shelter and may want to tell commuter students to stay away from the campus. Consideration

shall be given as to whether an emergency notification will compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. If the decision to launch an emergency notification is made, the Chief of Police, his designee, or the Communications Manager will write and determine the content of the message and launch or direct an authorized user to launch the message. The Communications Manager or his immediate backup will be responsible for initiating the notification system at TAMUT and will send the notice.

Once the Chief of Police or his designee determines that the situation has been resolved and/or no longer poses a threat to the community, he or she shall launch, or cause to be launched an "All Clear" message, directing members of the community to resume to normal activities.

Timely Warnings issued by NTCC (Northeast)

TAMUT students and employees located on NTCC's (Northeast) campus may also receive Timely Warning notifications issued by NTCC, independently of TAMUT. NTCC issues notifications to TAMUT employees located on the NTCC campus, as well as to students who transferred from NTCC to the TAMUT at NTCC program offered by TAMUT. The NTCC Timely Warning policy is outlined below, per the [NTCC 2022 Annual Security Report](#).

In the event that a situation arises, either on-campus or off-campus, that, in the judgment of the Northeast Coordinator of Campus Security, Northeast Director of Plant Services, and/or a Northeast Cabinet Member constitutes an immediate threat to the health or safety of students or employees, a campus-wide "timely warning" will be issued upon confirmation and a notice "will be published to inform students and employees of criminal occurrence on campus."

Certain information may be temporarily withheld to protect a victim or maintain the integrity of an in-progress criminal investigation. Campus Security will be primarily responsible for carrying out mandates of the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act.

Warnings to members of the campus community regarding occurrences of Clery Act crimes will be issued utilizing the Northeast Marketing and Public Relations Office. Warnings are issued through one or more of the following mediums: IRIS, school messenger system (SMS and email opt-out system), college email, website, local radio announcements, college voice mail message, social media postings, press releases, and/or web calendar event postings.

Depending on the type of emergency, especially in all situations that could pose an immediate threat to the community and individuals, Northeast Campus Security may also post signs on campus or alert occupants in buildings on foot. In emergency or dangerous situations, warnings include procedures for both response and evacuation. These are notifications that are sent to the campus community advising of event(s) that have occurred on the campus property or advising of event(s) occurring near the campus. Timely warnings are meant to provide information to make Northeast's campus community aware of ongoing threats or risks, aid in the prevention of similar crimes, and provide safety tips. These notifications usually occur as an all-campus email and should be issued as soon as pertinent information is available.

Anyone having knowledge of an ongoing or continuing threat to the Northeast campus community that may warrant a timely warning to be issued should immediately report this information to Campus Security and/or the Titus County Sheriff's Department. The safety and security of the campus community is of the utmost importance.

NTCC (Northeast) Content of Notification

Timely warnings will be issued for Clery crimes that pose a serious or continuing threat to the Northeast campus community. Any release of information to the public will comply with the open crime logs or timely warning provisions of the Clery Act; the names of victims or information that could easily lead to a victim's identification will not be released.

NTCC (Northeast) Procedures for Notification

Northeast college administrators will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the timely warning.

Upon determination by the Northeast Coordinator of Campus Security, Director of Plant Services, President, and/or a Cabinet Member/Vice President of a serious or continuing threat to campus safety, the Director of Marketing and Public Relations (or designee) will send an email to all students and employees, notify local media outlets, and make announcements on the campus-wide intercom system, as time permits.

Emergency Response and Evacuation Procedures

TAMUT employees and students located at the TAMUT at NTCC Campus must adhere to NTCC's emergency response and evacuation procedures. NTCC's policies and procedures are outlined below.

Notification about Immediate Threat

The entire campus community will be notified, without delay, upon the confirmation, there is at least the potential that an exceptionally large segment of the community will be affected by a situation, or when a situation threatens the operation of the campus as a whole. If the initial notification does not go to the entire campus community, there will be a continuing assessment of the situation and additional segments of the campus community may be notified if a situation warrants such action.

Content of Notification

The Northeast Coordinator of Campus Security, Northeast Director of Plant Services, Northeast President, and/or a Northeast Cabinet Member/Vice President will determine the content of the notification and determine the appropriate segment(s) of Northeast campus community to receive notifications.

Procedures for Notification

The Northeast Coordinator of Campus Security, Northeast Director of Plant Services, Northeast President, and/or a Northeast Cabinet Member/Vice President will determine whether notification should be given to any one or all of the aforementioned personnel before the notification is given to the campus community. Fire alarms will sound in the case of a fire emergency to alert the campus community to evacuate. The Northeast Coordinator of Campus Security, Northeast Director of Plant Services, Northeast President, and/or a Northeast Cabinet Member/Vice President will determine what information to provide in notifications. The Northeast Director of Marketing and Public Relations (or designee) will send an email to all students and employees, notify local media outlets, and make announcements on the campus-wide intercom system, as time permits.

Northeast college administrators noted above will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities and first responders, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

- Should an emergency or serious situation occur, the local Northeast Campus Security should be notified by dialing 8127 from a campus phone or 903-434-8127 from any other phone. Text messages can be sent to 903-563-1417.
- Northeast Campus Security will take the call and respond to verify the hazard or danger and notify local authorities and EMS if needed.
- The security personnel on scene will offer assistance or direct evacuation of the building(s) if needed.
- The Northeast Coordinator of Campus Security will notify the President or a Cabinet Member/Vice President of the situation. As soon as it is confirmed that a significant emergency or dangerous situation exists, the Northeast President (or designee), upon consultation with the Northeast Coordinator or Campus Security, will determine the course of action and authorize any messages or warnings that should be released and determine to whom these warning should be distributed.
- The entire campus community will be notified if a large segment of the campus community may be affected by or have the potential to be affected by the threat.
- The Northeast President (or designee) will then notify the Northeast Director of Marketing and Public Relations.
- The Northeast Director of Marketing and Public Relations will initiate the process by sending warnings or notifications campus-wide or to select groups as appropriate for the situation. Information will be sent over the following mediums: IRIS, school messenger system (SMS and email opt-out system), college email, website, local radio announcements, college voice mail message, social media postings, press releases, and/or web calendar event.
- Northeast college administrators will continue to monitor and assess the situation and provide follow-up information, as appropriate, by the same mode(s) utilized in the initial notification.

A warning may not be issued for a confined emergency or dangerous situation if doing so will compromise any effort to mitigate the emergency. The decision to withhold issuing a warning will be determined through consultation with the Northeast Coordinator of Campus Security, Northeast Director of Plant Services, Northeast President, and/or a Northeast Cabinet Member/Vice President.

Concept of Operation

In the event of a serious incident that poses an immediate threat to members of the campus community, Northeast has various emergency notification systems in

place for communicating information quickly. The appropriate mode(s) of distribution will be determined by the incident timeline and populations affected, as outlined in [NTCC Annual Security Report](#).

- The Northeast homepage at www.ntcc.edu serves as the official source of emergency notification information. It will be updated as necessary during an incident. Other notification modes may refer to the homepage for additional information.
- Social Media (Facebook and Twitter)
- Campus-wide intercom system
- An email sent to the campus community informing them of the hazard or danger.
- IRIS mass notification system.
- Notifications involve the use of text messages, phone calls, and emails
- Campus Security and/or Building Safety Coordinators will strategically travel throughout the campus broadcasting the emergency warnings.
- Depending on the incident, the notification can be distributed to the local media for publication.

Emergency Notifications issued by TAMUT

TAMUT also issues emergency notifications directly to TAMUT students and employees located on the NTCC campus in the A&M at NTCC program.

In the event of an emergency, TAMUT has several options in place for communicating information quickly to the campus community. TAMUT uses the RAVE Mobile Safety emergency notification system. This system gives the University the ability to communicate health and safety emergency information quickly via phone, e-mail, and text messages. The TAMUT Communications Manager or the TAMUT Web Design Specialist located in the Information Technology Department will also notify the A&M at NTCC community via web pages and social media.

In the Fall of 2011, the Texas Legislature passed a law requiring all universities to automatically enroll students, staff, and faculty into their emergency alert system. All TAMUT students, faculty, and staff are now automatically enrolled in the RAVE System and have the option of opting out of the system if they so desire. If anyone would like to opt out or change their preferences, go to <https://getrave.com/login/TAMUT> to do so.

Additional information regarding TAMUT's Emergency Management Plan, updated in 2022, can be found on the TAMUT university website here:

https://www.tamut.edu/about/administration/Environmental-Health-and-Safety/PDFs/Emergency_Management_Plan.pdf

Emergency Preparedness

Employees and students of TAMUT at NTCC participate in NTCC emergency preparedness procedures while on the NTCC campus.

During the reporting period, Northeast has participated in and hosted several exercises and drills to improve the college's response to and evacuation capabilities during various threats to the campus community. A record of the activities is maintained by the Northeast Coordinator of Campus Security.

Testing Mass Notification

The NTCC Coordinator of Campus Security is responsible for conducting tests of emergency response and evacuation procedures on at least an annual basis through a variety of drills and exercises designed to assess and evaluate Northeast's emergency plans and capabilities. The emergency notification systems are tested each semester. Exercises may include tabletop, functional, full-scale, or any combination thereof. Tests may be announced or unannounced in advance to the campus community.

Procedures for Testing Emergency Response and Evacuation Plan

Emergency drills are coordinated by the NTCC Coordinator of Campus Security and the NTCC Director of Residential Life each semester. The purpose of the drill is to prepare building occupants for an organized evacuation in case of an emergency. Students learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting for a short-term building evacuation. At Northeast, evacuation drills are used to educate and train occupants on issues specific to the facility. During the drill, occupants "practice" drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. In addition to educating the occupants of the building about the evacuation procedures during the drills, the process also provides the college an opportunity to test the operations of the fire alarm system components. Any deficient equipment is noted so that appropriate repairs may be performed. Employees and students of TAMUT at NTCC are included in this process as part of the NTCC campus community.

Security of and Access to Campus Facilities

All offices, classrooms, parking lots, and other facilities utilized by TAMUT at NTCC employees and students are maintained by NTCC. NTCC oversees the

security of and access to all A&M at NTCC facilities at this location as part of their campus.

NTCC (Northeast) is a public and open campus. For that reason, no effort is made to restrict the general public from entering the campus. However, Northeast Security reserves the right to ban individuals from the campus if they are considered a threat to the well-being of the campus community.

Northeast Resident Hall East and West at Northeast dormitory is locked 24 hours a day and entry can only be gained by residents with a key card. Security cameras are located throughout the dormitory and its parking lot, as well as all other buildings and parking lots throughout the campus.

Providing a secure campus is of the utmost importance to Northeast. Northeast, through a continuous update of our crime prevention programs, is striving to provide a safe and secure environment for students and staff. Students and staff must also assist the campus by being responsible for their own safety and the safety of others.

Northeast campus has numerous security features. Most buildings at the Northeast campus are equipped with video cameras inside and outside the buildings. There are now five emergency phones. They are located in Math/Science, Student Services Center, Business Technology, Resident Hall East, and Fitness Center buildings. These phones are housed in an identifiable red box mounted on the exterior of the previously listed buildings. To use a Red Emergency Phone simply open the box, pick up the phone, and wait until you are connected to a security officer on campus.

A Northeast Emergency Management Plan is in place to direct any given emergency. The [plan](#) was updated in the Spring of 2017 and put on flipcharts that can be found in all classrooms. It may also be viewed on Northeast website. Students can view online emergency numbers, hotlines, off-campus counseling, and safety shelters on the security link on our website. They also may receive information by contacting these Northeast offices: Security Department; Office of Student Affairs; Office of Human Resources; or the Office of Administrative Affairs.

Safety Checkpoints

- Walk with friends in lighted areas.
- Always lock your car.
- Park in well-lit areas.

- Before entering your vehicle, have your keys out and check the interior of the vehicle.
- Never leave personal property unattended.
- Carry personal items in a backpack or similar device to keep your hands free at all times.
- Report any suspicious activity or person to NTCC Security – Dial 8127 from any phone on NTCC campus or 903-563-1417 from your cell phone.
- Alter your route of travel between home and campus. Whether walking, jogging, biking, etc., vary your routine and walk with a partner

Maintenance of Campus Facilities

The Northeast campus is routinely inspected for environmental safety hazards such as insufficient lighting, overgrown shrubbery, cracked sidewalks or parking lots, and anything that could pose a hazard to members of the campus community by NTCC personnel. All offices, classrooms, parking lots, and other facilities utilized by TAMUT at NTCC employees and students are maintained by NTCC in this process as part of their campus.

TAMUT at NTCC Alcoholic Beverages, Illegal Drugs, and Weapons Policies and Procedures

The alcoholic beverages, illegal drugs, and weapons policies described in the following sections are relevant to Texas A&M University-Texarkana students, faculty, and staff located at NTCC and reflect the same policies, practices, and services that are applicable to Texas A&M University-Texarkana unless otherwise stated. Students and employees of NTCC are not enrolled in or employed by Texas A&M University-Texarkana, therefore, may have differing policies, practices, and services provided by other entities that are not required to be disclosed in this Annual Security Report.

However, it is important to note that NTCC prohibits alcohol and illegal drugs in and around all NTCC property. Additionally, Northeast prohibits the possession or use of narcotics or drugs on all NTCC property. All TAMUT at NTCC campus offices, classrooms, and facilities are located on NTCC property.

Alcohol and Illegal Drug Policy

To ensure the University's commitment to a quality educational and work environment, employees and students have a right to work and learn in an environment free from the effects of abuse of alcohol and illicit drugs. It is the policy of the University to discourage the misuse and abuse of alcoholic

beverages and illicit drugs. The Drug Free Schools and Communities Act requires every institution of higher education to inform students of standards of conduct that clearly prohibit violations of local, state, and federal laws pertaining to alcohol and illicit drugs. Parents may be notified of students who are found responsible for alcohol and drug violations under The Student Code of Conduct.

Alcoholic beverages may be served and consumed at official University functions and approved non-University functions as approved by the President or his/her designee. However, alcoholic beverages may not be served at the functions of Student Organizations.

The University strictly prohibits the following actions and behaviors:

- A. The purchase, possession, or consumption of alcoholic beverages by persons under the age of twenty-one.
- B. Aiding and abetting an underage person in the purchase or possession of alcoholic beverages.
- C. Falsification of a driver's license or other identification to obtain alcoholic beverages.
- D. Appearing in any public place under the influence of alcohol, the individual may endanger his/herself or other persons, damage property, or disturb persons in the vicinity.
- E. Driving while under the influence or while intoxicated.
- F. Possession or consumption of alcoholic beverages in the Bringle Lake Village Residence Hall.

Alcoholic Beverages may be served and consumed at University events held off-campus according to the following guidelines, as well as in addition to the above guidelines:

- A. The sale, serving, and consumption of alcoholic beverages are strictly prohibited in areas and at times and dates licensed by the Texas Alcohol Beverage Control Board, or similar agencies in other states.
- B. Sponsoring groups and organizations will be responsible for providing security to ensure that guests conduct themselves properly and assist with crowd control.
- C. Alcohol may not be consumed or carried in open containers on any street, sidewalk, alley, or in a motor vehicle.
- D. Activity sponsors must examine the identification of all guests entering the activity. Guests under the age of twenty-one are not permitted to consume alcoholic beverages. If the activity is located in another state, all applicable state and local laws regarding alcohol sales, services, and consumption

shall prevail. Sponsors must assure that official law enforcement or on-site security verifies the identification of all participants.

- E. Littering, infringing upon the rights of others, and abuse of public or private property in connection with possession or consumption of alcoholic beverages is prohibited.
- F. Promotion or advertising of an event must not encourage any form of alcohol abuse, nor should events be advertised to place an emphasis on the quantity and/or frequency of use of alcohol.
- G. Alcohol should not be provided as an award or prize to individuals or campus organizations.
- H. Student organizations must designate one person, perhaps an officer of that organization, to assume responsibility for assuring that there is knowledge of and compliance with these alcohol policies. It is recommended that this person participate in the special education programs offered by the Office of Student Life.

Beer distributors, liquor companies, bars, and nightclubs are not permitted to:

- A. Advertise on campus,
- B. Co-sponsor an event with a student organization,
- C. Advertise on any schedule card, athletic brochure or press guide, or other printed material,
- D. Provide advertising for University events presented on radio or television.

TAMUT does not assume responsibility for unofficial events held off campus involving individuals or groups affiliated with the University. However, the University reserves the right to hold students and student organizations accountable for violations of federal, state, and local law by TAMUT students or student organizations off campus in which said violations adversely affect the University community and/or pursuit of its objectives.

All members of the campus community are expected to abide by state and federal laws regarding controlled substances, illegal drugs, and alcoholic beverages. The possession, use, or sale of illegal drugs (as defined by the Texas Penal Code) on-campus is strictly prohibited and is a violation of state law. Violations can result in both University disciplinary action and criminal prosecution.

TAMUT provides drug and/or substance abuse prevention information and referral counseling services to any TAMUT officer, employee, or student.

Employees can contact the Human Resources Department at 903-223-1360 or can visit the [Employee Assistance Program](#) website for more information. Students can contact the Office of Student Life at 903-223-3186 or stop by the department suite located on the first floor of the University Center at the main campus. Individuals who wish to seek help on their own, in confidence, may contact the Southeast Counseling and Mental Health Services – Drug/Alcohol outpatient division at 870-773-4655.

Health Risks of Drugs and Alcohol

Health Hazards associated with excessive use of alcohol dependency include dramatic behavioral changes, retardation of motor skills, and impairment of reasoning and rational thinking. These factors result in a higher incidence of accidents and accidental death for such persons than for nonusers of alcohol.

People who consume substantial amounts of alcohol over a brief period of time can reach extremely high blood alcohol levels before they pass out. This can lead to decreased breathing and death. Vomiting associated with elevated levels of alcohol may also cause choking and death.

Nutrition also suffers, and vitamin and mineral deficiencies are frequent. Prolonged alcohol abuse causes bleeding from the intestinal tract, damage to the nerves and brain, liver damage, psychotic behavior, and loss of memory and coordination. Other risks include impotence, inflation of the pancreas, and damage to bone marrow, the heart, testes, ovaries, and muscles. Damage to nerves and organs can be irreversible.

If you need help with an intoxicated friend:

- Keep calm and help. Individuals with high alcohol-blood levels can be unpredictable and violent.
- Speak in a firm, clear, reassuring manner.
- Stay with a person who is vomiting. If the victim is lying down, turn them on their side, keep the tongue from falling back into the throat and protect them from choking.
- Monitor the person. If they become unconscious or appear to have problems breathing, seek medical help immediately by calling 911.
- Do not try to walk, run, or exercise the person, and do not try to keep the person awake.
- Do not try to restrain them without assistance from additional sober persons.
- Do not force anything into their mouth – food, liquids, or drugs – in an attempt to sober them up.

- Do not try to give them a cold shower. This can be extremely dangerous.

The use of illicit drugs may lead to physiological and mental changes similar to those caused by alcohol, although changes are usually more severe and more sudden. Death or coma resulting from an overdose of drugs is also more frequent. Illicit drugs are commonly classified into seven categories: cocaine, amphetamines, heroin and other opiates, hallucinogens, solvent inhalants, steroids, and marijuana. In addition to adverse effects associated with the use of a particular drug, intravenous-drug users who use unsterilized needles or who share needles with others can develop AIDS, hepatitis, and other harmful diseases.

Weapons Policy

Texas Government Code 411.203 allows people with a handgun license to carry concealed handguns in permitted areas on campus. TAMUT employees and students on the NTCC campus must adhere to the [NTCC Campus Carry weapons policy](#) and observe the following restricted areas: sporting and interscholastic events, governmental body meeting areas, and in presence of school children where a school-sponsored activity is being conducted. Other excluded places in the NTCC policy include a small number of laboratories where dangerous chemicals are stored, as well as the campus testing center. The policy also allows the NTCC president to create temporary exclusion zones when particular activities are being conducted when there might be legal or safety concerns.

Additionally, the TAMUT President is allowed to designate certain areas on the TAMUT campus where the carrying of concealed handguns by license holders is prohibited, subject to A&M System and legislative review. Handguns must remain concealed. The open carrying of a handgun on campus is prohibited. Licensed Peace Officers are authorized by law to openly carry firearms at all times.

Any resident of TAMUT campus housing who is a handgun license holder, when in the Residence Hall must store their handgun when not carried on or about their person in a safe that is provided and installed by TAMUT.

A license holder cannot carry a concealed handgun in certain areas located on and near the TAMUT campus, as detailed in [University Rule Procedure 34.06.02 H1 Carrying Concealed Handguns on Campus:](#)

Sexual Assault, Dating Violence, Domestic Violence and Stalking

The Sexual Assault, Dating Violence, Domestic Violence and Stalking policies and procedures described in the following sections are relevant to Texas A&M University-Texarkana students, faculty, and staff located at NTCC and reflect the same policies, practices, and services that are applicable to Texas A&M University-Texarkana unless otherwise stated. Students and employees of NTCC are not enrolled in or employed by Texas A&M University-Texarkana, therefore, may have differing policies, practices, and services provided by other entities that are not required to be disclosed in this Annual Security Report.

In accordance with federal law and Texas A&M University System Regulation 08.01.01 Civil Rights Compliance (System Regulation 08.01.01), Texas A&M University-Texarkana prohibits discrimination and harassment including sexual assault, dating violence, domestic violence, stalking, (as those terms are defined for the purposes of the Clery Act) and/or related retaliation. The following are statements of policy that address discrimination, harassment (including, but not limited to, sexual harassment and sex-based misconduct), complicity, and retaliation. The policies apply whether this conduct occurs on or off campus.

Policy statements regarding Sexual Assault, Dating Violence, Domestic Violence and Stalking in this Annual Security Report are relevant to Texas A&M University-Texarkana students, faculty, and staff located at NTCC and reflect the same policies, practices, and services that are applicable to Texas A&M University-Texarkana unless otherwise stated. Students and employees of NTCC are not enrolled in or employed by Texas A&M University-Texarkana, therefore, may have differing policies, practices, and services provided by other entities that are not required to be disclosed in this Annual Security Report.

Conduct Prohibited

It is the policy of TAMUT that the University will not tolerate physical abuse, threats of violence, physical assault, or any form of sexual assault or abuse including, but not limited to, acquaintance or date rape, domestic violence, dating violence, and/or stalking. In addition, all such acts of sexual violence are considered forms of Sexual Harassment covered under Title IX of the Education Amendments Act of 1972. TAMUT considers it essential to provide Sexual Assault Awareness Programs for students and employees, aimed at the prevention of such crimes. The University Police Department and the Student and Academic Support Services Office offer brochures and other literature aimed at promoting awareness of rape, date rape, dating violence of any kind, domestic violence and stalking, and other sex offenses. The Office of Student Life conducts

mandatory training for all new students on Sexual Assault Awareness each semester. Speakers from various agencies are invited to campus to present programs on sexual assault awareness, domestic violence, dating violence, and stalking. The same information is presented to all new employees at new employee orientations.

Sexual Misconduct

Sexual Misconduct is a violation of University standards of conduct for students, faculty, staff, and the University community, as well as a violation of the law.

Sexual Misconduct is unwelcome conduct on the basis of sex that is severe, persistent, or pervasive enough to create work, educational, or campus living environments that a reasonable person would consider intimidating, abusive, or offensive. Sex-based misconduct is explicitly prohibited under [TAMUS policy](#) and [TAMUT rule](#), including the TAMUT [Student Code of Conduct](#). Aiding another in the commission of sex-based misconduct is also prohibited under these regulations. Sex-based misconduct includes, but is not limited to, sexual assault, sexual exploitation, dating violence, domestic violence, and stalking based on sex.

Engaging in sexual conduct without consent is a serious offense; furthermore, such consent, whether verbal or non-verbal may be withdrawn at any time, without regard to activity preceding the withdrawal of consent. Students who experience or witness sexual misconduct against anyone in the campus community should report the incident to the Campus Title IX Coordinator as soon as possible. Sexual misconduct reporters have several options available to them for reporting the incident.

Options include:

1. Reporters can report the incident to the campus or local police for a criminal investigation of the incident. The Office of Student Life will assist individuals with this process if needed. The University will begin an administrative investigation of the alleged misconduct in addition to the police investigation.
2. The reporter can only report to the Campus for an administrative investigation conducted by trained Title IX investigators.
3. The reporter can make the report to the Title IX Coordinator but not participate in the administrative investigation. The University reserves the right to investigate to the extent possible and will weigh the request against any reasonably foreseeable risk to the health and welfare of the community.

In all cases where sexual misconduct is reported to the University, students affected by the incident will be offered a written explanation of their rights and options as well as information about support services via counseling, class adjustments, housing arrangements, or other support services as needed.

The University desires to maintain an academic and work environment free of sexual violence for students, faculty, and staff. Sexual harassment violates the University's long-standing policy against discrimination on the basis of sex and is also a violation of state and federal law. It is prohibited in the employment context by Title VII of the 1964 Civil Rights Act and in the educational context by Title IX of the Educational Amendments of 1972. A complaint under this policy may be brought by a student on the conduct of any University community member.

Sexual Misconduct offenses include, but are not limited to, Sexual Harassment, Sexual Assault including Non-Consensual Sexual Intercourse (or attempts to commit same), Fondling, Incest, Statutory Rape, Sexual Exploitation, and Stalking based on sex.

Sexual Offenses Definitions

Sexual Harassment: Unwelcome conduct on the basis of sex (of a sexual nature or otherwise):

1. by an employee of the member who conditions the provision of an aid, benefit, or service of the member on an individual's participation in that unwelcome sexual conduct;
2. determined by a reasonable person to be so severe and pervasive and objectively offensive that it effectively denies a person equal access to the member's education program or activity; or
3. sexual assault or dating violence, domestic violence, or stalking 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 system. A sex offense is any sexual act directed against another person, without the consent of the victim, including instances in which the victim is incapable of giving consent. Sexual assault is explicitly prohibited under this regulation. Aiding another in the commission of sexual assault is also prohibited under this regulation. Sexual assault is a form of sexual harassment or sex-based misconduct.

Sexual Assault offenses are defined as:

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.

Stalking: Stalking is 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;
- B. (and/or) suffer substantial emotional distress.

For the purposes of this definition:

- A. 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.
- B. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- C. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. [34 CFR 668.46(a)]

Stalking is explicitly prohibited under this regulation. Aiding another in the commission of stalking is also prohibited under this regulation. Stalking based on sex is a form of sexual harassment or sex-based misconduct.

Sexual Exploitation: Sexual Exploitation is a situation in which an individual(s) takes non-consensual or abusive sexual advantage of another for his or her own advantage or benefit, or to benefit or advantage anyone other than the one being

exploited. For example, sexual exploitation could include such actions as secretly videotaping sexual activity, voyeurism, sexually based stalking, invasion of sexual privacy, exposing one's genitals or causing another to expose one's genitals, and knowingly exposing another person to a sexually transmitted infection or disease. Sexual exploitation is a form of sex-based misconduct.

Sexual Exploitation is explicitly prohibited within the Student Code of Conduct. Aiding another in the commission of Sexual Exploitation is also prohibited under the Student Code of Conduct. Sexual Exploitation is a form of sexual harassment or sex-based misconduct.

Additionally, dating violence and domestic violence are prohibited by TAMUT, in accordance with federal law and [System Regulation 08.01.01 Civil Rights Compliance](#) and [A&M-Texarkana Rule](#). Dating and Domestic violence are defined for the purposes of the Clery Act within the *1994 Violence Against Women Act* as:

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

- A. Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- B. Dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence: 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 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;
- 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.

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

If any crime of sexual assault, stalking, domestic violence, and dating violence does occur, the reporter is provided an option to report the incident to the University Police Department and/or the city Police Department. If any of these crimes are reported to any TAMUT at NTCC Campus Security Authority (CSA), that CSA can assist the subject in notifying NTCC Campus Security at 903.563-1417, TAMUT University Police at 903-334-6611, and/or the local city Police Department by calling 911. The reporter of the crime, if so desired, can decide to decline to notify law enforcement to investigate their case. If the reporter chooses to have the University Police Department or local Titus County Sheriff's Office investigate their case, both agencies will protect the confidentiality of the reporter and limit third-party notifications of the true identity of the reporter, to the extent allowed by law and so as not to impede the investigation. Release of information is governed by Texas Open Records regulations and Government code 552.001.

For Clery reporting purposes, only the crime itself will be recorded in the crime log with no personal identifiers released. TAMUT has a staff counselor who will respond to the hospital and liaison with the reporter. The counselor will also provide aftercare counseling at no cost to the student.

Reporters of domestic violence, sexual assaults, dating violence or stalking crimes must decide whether to call the police and press charges in these cases. Many of these suspects in these types of cases are repeat offenders, and your report may prevent future acts from occurring. Even if the police are not notified, the University will conduct a Title IX investigation into the incident.

To assure University-wide compliance with this policy and applicable law, the Director of Compliance and Risk Management or the Human Resource/Civil Rights Protection Officer must be advised of all reported incidents of sexual harassment and their resolution. The Director of Compliance and Risk Management Office and the Human Resource/Civil Rights Protection Officer will monitor repeated complaints within the same division or against the same individual, to assure that such claims are appropriately handled. Investigators and hearing officers assigned to allegations of sex-based discrimination will be trained annually on the process for sex-based investigations and hearing processes. In all cases, the reporter (victim) and the respondent (accused) may be accompanied by an adviser of his or her choice who shall be permitted to attend, but not participate in, the proceedings. The university prohibits retaliation against any person who in good faith reports, complains about, or participates in an informal resolution or formal investigation of a sexual harassment allegation.

On-campus disciplinary action in cases of alleged sexual assault, domestic abuse, dating violence, and stalking will be handled in accordance with the TAMUT [Student Code of Conduct](#). Both the reporter and respondent have the same opportunity to have witnesses present during a campus disciplinary proceeding. Both the reporter and the respondent shall be informed of the outcome of any campus disciplinary proceeding brought at the same time. Both the reporter and respondent in these cases will be notified of various options for changing academic schedules and living situations upon their request.

Sexual harassment can be a profoundly serious matter having far-reaching effects on the lives and careers of individuals. Intentionally false accusations can have a similar impact. The charge of sexual harassment is not to be taken lightly by a charging party, an accused party, or any member of the University community. A person who knowingly and intentionally files a false complaint under this policy is subject to disciplinary action. The employment and educational environment throughout TAMUT shall be free from all forms of sexual discrimination and sexual harassment. Conduct constituting sexual harassment is specifically prohibited and will result in appropriate sanctions. Sexual Harassment, as defined in Section 39.03 of the Texas Penal Code, is a Class A misdemeanor and a violation of State and Federal statutes.

Further definition and clarification are found in System Policy 08.01.01 Civil Rights Compliance. This policy may be viewed [here](#) or may be obtained through the Human Resource/Civil Rights Protection Officer or the Director of Compliance and Risk Management. A student having a complaint of sexual harassment may be directed to the Assistant Vice President of Student Affairs.

In some cases, an informal resolution process will be used in sexual misconduct cases. An informal complaint is intended to result in the resolution of the complaint and an immediate halt of the unwelcome behavior. If the offending behavior does not cease, a formal complaint may be filed in writing with the Human Resource/Civil Rights Protection Officer or the Director of Compliance and Risk Management.

Any student found responsible for violating the policy on Sexual Harassment (where no intercourse has occurred) will likely receive a sanction ranging from probation to expulsion, depending on the severity of the incident, and taking into account any previous campus conduct code violations.

Any student found responsible for violating the policy on Sexual Assault will likely face a recommended sanction of suspension or expulsion.

Any student found responsible for violating the policy on sexual exploitation, or Stalking will likely receive a recommended sanction ranging from a warning to expulsion, depending on the severity of the incident, and taking into account any previous campus conduct code violations.

The University reserves the right to take whatever measures it deems necessary in response to an allegation of sexual misconduct in order to protect students' rights and personal safety. Such measures include, but are not limited to, modification of living arrangements, interim suspension from campus pending a hearing, and reporting the matter to the local police. Not all forms of sexual misconduct will be deemed to be equally serious offenses, and the University reserves the right to impose different sanctions, ranging from verbal warning to expulsion, depending on the severity of the offense. The University will consider the concerns and rights of both the complainant and the respondent of sexual misconduct.

TAMUT employees and students at the TAMUT at NTCC campus may also make reports against NTCC employees and students using NTCC Sexual Assault, Domestic Violence, Dating Violence, and Stalking procedures in accordance with NTCC policies. The TAMUT Title IX Coordinator is available to function as an advocate and liaison to any TAMUT employee or student that wishes to do so. NTCC's Sexual Assault, Domestic Violence, Dating Violence, and Stalking policies and procedures are independent of TAMUT and are not required to be disclosed here in this annual report. However, NTCC's Title IX website is located here for reference: <https://www.ntcc.edu/about-us/title-ix>

Guidelines or Suggestions to Follow After an Incident of Sexual Assault, Sexual Harassment, Dating Violence, Domestic Violence or Stalking

If a student or an acquaintance is a reporter of an act of sexual assault, domestic violence, dating violence, or stalking, the following may serve as a resource for receiving and connecting to services:

- **Get to a Safe Place** – the reporter should seek a safe location such as an apartment/home, residence hall, or the residence of a trusted friend or relative.
- **Contact the Police** – The reporter may choose to file a report with the NTCC Campus Security Department, TAMUT University Police Department, or the local Titus County Sheriff's Department. The reporter may also choose to file a

report with the TAMUT University Title IX Office (or the Office of Student Affairs) if possible.

- Get Medical Attention as Soon as Possible.
- **Try to Preserve all Physical Evidence.** Place clothing in paper, not plastic bag. Save text messages, social networking pages, e-mails, pictures, or other documents that might be useful to police or investigators.
- **Write it Down** - You should try to write down as much information about the circumstance of the incident including a description of the suspect.

On-site NTCC Campus Security is available at 903-563-1417. The TAMUT Police Department is located in the Central Plant Building at the Texarkana campus or can be reached by calling 903-334-6611. Any member of TAMUT at NTCC staff or faculty can help direct the reporter to call the NTCC Campus Security, TAMUT University Police, or the local police department. The police may conduct an investigation based on potential criminal activity related to the situation reported, but please be aware that a police investigation is not the same as an investigation through the Office of Student Affairs. You may file complaints simultaneously with the Police and the University's Office of Student Affairs. The reporter also has the right to decline to call the University Police or local police.

Medical Treatment

Get medical treatment as soon as possible. The reporter's health and safety are the most crucial factors. A doctor or nurse can check for injuries that may not be visible and can treat for possible sexually transmitted diseases. Hospital staff may also perform a sexual assault exam to collect evidence. This exam can be completed even if the reporter chooses not to involve the police and file a report. This exam will help preserve evidence in case the reporter decides to file a police report at a later date. The reporter may also elect to go to their own family care physician for medical assessment and treatment. Medical professionals are not required to call law enforcement because an adult patient they are treating has been sexually assaulted (if the reporter is a minor, they will have to call the police). Reporters of domestic violence and dating violence should also see a doctor for treatment and documentation of injuries received.

If the reporter thinks they might want to have a sexual assault examination, they should do their best to preserve evidence. Do not shower, bathe, eat, drink, wash hands, or brush teeth until after the exam.

If the reporter believes he or she was drugged, he or she should wait to urinate until arriving at the hospital. However, if the reporter cannot wait to collect his or

her first urine at a local medical facility, the reporter should collect urine in a clean container with a lid and take it to the emergency room or police station.

Both CHRISTUS St. Michael Hospital Emergency Room and Wadley Regional Medical Center Emergency Room have Sexual Assault Nurse Examiners who can provide a forensic examination.

Their addresses are listed below:

CHRISTUS St. Michael Hospital	Wadley Regional Medical Center
2600 St. Michael Drive	1000 Pine Street
Texarkana, TX 75503	Texarkana, TX 75501

The nearest hospital to A&M at NTCC students is listed below:

Titus Regional Medical Center

20001 N Jefferson Ave

Mount Pleasant, TX 75455

Confidentiality and Privacy

Confidentiality

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

Confidentiality and Licensed Counseling Staff

Students and employees have the option to disclose information confidentially to individuals designated as confidential employees. Licensed counselors and licensed health care personnel, who receive reports when acting in this capacity as part of their official employment, will not reveal the information to any third party except when an applicable law or a court order requires or permits

disclosure of such information. For example, information may be disclosed when: (i) the individual gives written consent for its disclosure; (ii) there is a concern that the individual will likely cause serious physical harm to self or others; or (iii) the information concerns conduct involving suspected abuse or neglect of a minor under the age of eighteen. Additionally, confidential employees will not report to the institution except as required by law. Publicly available recordkeeping must not include personally identifying information. Incidents are shared in a way that does not identify the individuals. For example, licensed healthcare providers share de-identified information related to crimes that may be statistics in the Clery Annual Security and Fire Safety Report and/or disclosed in the daily crime log without identifying the individuals concerned.

The Student Counseling Center can be reached at 903-223-3186 during office hours to schedule appointments and receive general information. Currently enrolled students can access Student Health Services after business hours at 903-276-8276 to speak to licensed health care personnel. For employees, the Life/Work Solutions Program (TAMUT Employee Assistance Program) can be reached at 866-301-9623.

Each are confidential, licensed mental health counseling services available to either students or employees and the employee's benefits-eligible dependents, respectively.

Privacy

The University will weigh the request for privacy and respond with the below considerations:

1. Confidential Reporters. Confidential Reporters are the Counselors in the Student Counseling Center. Confidential Reporters are required to provide general non-identifying information as required to comply with the Clery Act and must report to the Title IX Coordinator any type of sex-based incident made known to them but may not include any information that would violate that person's expectation of privacy. Exceptions to confidentiality/privacy include reports of child abuse, abuse, or neglect of disabled or elderly persons, and when a party poses an imminent danger to themselves or others.
2. A report to a university employee is a report to a "responsible employee" which requires disclosure to the university's Title IX Office. A complainant will be afforded privacy and confidentiality to the extent possible under the law, including a request that no investigation be conducted. The University's determination will weigh the request against any reasonably

foreseeable risk to the health and welfare of the community, whether there have been multiple allegations, and/or the seriousness of the allegation. The University must inform the complainant of its intention to investigate or comply with the request not to investigate.

3. If the University honors the request for privacy, a reporter must understand that the University's ability to meaningfully investigate the incident and pursue disciplinary action against the alleged respondent(s) may be limited.

There are times when the University may not be able to honor a reporter's request in order to provide a safe, nondiscriminatory environment for all students.

1. The University has designated the following individual(s) to evaluate requests for privacy once a "responsible employee" is on notice of alleged sexual assault:
 - A. Title IX Coordinator
 - B. Two Title IX Deputy Coordinators
2. When weighing a reporter's request for privacy or that no investigation or discipline be pursued, such individuals will consider a range of factors, including the following:
 - A. The increased risk that the alleged respondent(s) will commit additional acts of sexual abuse or other violations.
 - B. Whether there have been other sexual violence complaints about the same alleged respondent.
 - C. Whether the alleged respondent(s) has a history of arrests or records from a prior school indicating a history of violence.
 - D. Whether the alleged respondent(s) threatened further sexual violence or other violence against the reporter or others.
 - E. Whether multiple respondent(s) committed the sexual violence.
 - F. Whether the sexual violence was perpetrated with a weapon.
 - G. Whether the reporter is a minor.
 - H. Whether the University possesses other means to obtain relevant evidence of the sexual violence (e.g., security cameras or personnel, physical evidence, University Police Department reports).
 - I. Whether the reporter's report reveals a pattern of behavior (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.
3. The presence of one or more of these factors will lead the University to investigate and, if appropriate, pursue disciplinary action. If none of these

factors are present, the University will likely respect the reporter's request for privacy.

4. If it is determined that the reporter's privacy cannot be maintained, the reporter will be notified in writing prior to starting an investigation and will, to the extent possible, only share information with staff responsible for coordinating or conducting the investigation.

Resources, Rights and Options

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. Available assistance is also covered through prevention and awareness education. Additional information about any of the resources, rights, and options discussed in this section can be requested from official contacts (such as the Office of Student Affairs, Student Counseling Services, Human Resources, and the University Police Department).

Legal Rights and Options

Protective Order: In addition to the option of pressing criminal charges against a respondent, the victim may apply for a legal order of protection from a court. A protective order protects complainants of dating violence and domestic violence by ordering the respondent not to commit further acts of violence against the complainant; not to harass, threaten, annoy, alarm, abuse, torment, or embarrass the complainant; not to communicate with the complainant in a threatening or harassing manner; and to stay away from the complainant's residence, work, or school. An application for a protective order is free. If the complainant is 18 years old or older, the complainant can seek a protective order for himself or herself. If the complainant is under eighteen, the complainant can have any adult apply for one on their behalf. To apply for a protective order for dating violence, the respondent must be someone s/he is dating, or someone s/he used to date, and s/he must have physically harmed the complainant or attempted or threatened to harm the complainant physically. The application for a protective order must be filed in the county in which the complainant or the respondent lives. The court will grant a protective order once the complainant proves that dating violence has occurred and that it is likely to occur again. Should the complainant choose

to seek out a protective order, the complainant may apply for one through the Titus County Sheriff's Office: 903.572-6641

If the complainant, alleged offender, or member of the university community has obtained an order of protection, civil no-contact order, or any other measure against another member of the university community, the order should be provided to the official contact or designee. In conjunction with the University Police Department and other university officials, the official contact or designee will take all reasonable and legal actions to implement the order. For TAMUT employees and students on the TAMUT at NTCC campus, University Police will act as a liaison with the Northeast Texas Community College Campus Security. NTCC Campus Security or the Titus County Sheriff's Office must enforce any protective orders while on the NTCC Campus.

Northeast Texas Community College complies with Texas law in recognizing orders of protection. Any person who obtains an order of protection from the State of Texas or any reciprocal state should provide a copy to Campus Security and the NTCC Office of the Title IX Coordinator. A complainant may then meet with NTCC Campus Security to develop a Safety Action Plan, which is a plan for campus security officers and the victim to reduce the risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location or allowing a student to complete assignments from home, etc.) The College cannot apply for a legal order of protection, no-contact order, or restraining order for a victim from the applicable jurisdiction(s).

Other Legal Options: The TAMUT University Police Department 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>.

Local Resource Directory:

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

Law Enforcement:	Phone	Address	Website
TAMUT University Police	903-334-6611	Central Plant, 7101 University Ave, Texarkana, TX 75503	https://tamut.edu/about/administration/university-police/index.html

NTCC Campus Security	903-563-1417	NTCC 2886 FM 1735 Chapel Hill Road Mt Pleasant, TX 75455	https://www.ntcc.edu/about-us/campus-security
Titus County Sheriff's Office	903-572-6641	304 South Van Buren Mt Pleasant, TX 75455	https://www.tcsinfo.com/
Counseling and Mental Health:			
TAMUT Student Counseling Office	903-334-6613	Suite 420, 4 th Floor of University Center, 7101 University Ave, Texarkana, TX 75503	https://tamut.edu/campus-life/Counseling-Center/index.html
Life/Work Solutions Counseling	1-888-993-7650	TAMUT Employee Assistance Program - See website for details.	http://tamut.edu/About/Administration/Human-Resources/EAP.html
Southwest Arkansas Counseling & Mental Health Center, Inc.	870-773-4655	2904 Arkansas Blvd. Texarkana, AR 71854	https://www.swacmhc.com/home.html
The Trevor Project (LGBTQ Support Organization)	1-866-488-7386 (24hr hotline)	National Organization – See website for details.	http://The Trevor Project.org/get-help-now/
Student Affairs Office Support Services			
Title IX Coordinator	903-334-6755	Compliance Office University Center, Room 414K 7101 University Avenue, Texarkana, TX 75503	http://catalog.tamut.edu/student-affairs/titleix/
Deputy Title IX Coordinators	903-223-1351 & 903-223-3012	Office of Student Life, UC Suite 125 & Human Resources, CP 163 7101 University Avenue, Texarkana, TX 75503	http://catalog.tamut.edu/student-affairs/titleix
Medical and Health Services:			
Titus Regional Medical Center	903-577-6000	2001 N Jefferson Ave, Mt. Pleasant, TX 75455	https://www.titusregional.com/

TAMUT Tele-Health Services*	903-223-3186	University Center, Rm 427 7101 University Avenue, Texarkana, TX 75503 *For minor illnesses, not intended for medical emergencies or sexual assault assistance	http://www.tamut.edu/Campus-Life/Student-Health-Services/index.html
Family Medical Group	903-831-6848	See website for details.	http://fmgoftexarkana.com/index.html
CHRISTUS St. Michael Health System	903-614-1000	26000 St. Michael Drive Texarkana, TX 75503	https://www.christushealth.org/st-michael
Wadley Regional Medical Center	903-798-8000	1000 Pine Street Texarkana, TX 75501	https://wadleyhealth.org
Support, Advocacy, and Legal Assistance			
Spectrum (TAMUT Student Organization & Support Group for LGBTQ Community & Allies)	TBA	TBA	See Office of Student Life for details.
Rape Crisis Center	903-793-4357	424 Spruce Street, Texarkana, TX 75501	https://www.dvptxk.org/
National Domestic Violence Hotline	1-800-799-SAFE	See website	http://www.thehotline.org/
Family Violence Legal Line	1-800-374-HOPE	See website	https://www.texasadvocacyproject.org/free-legal-services/legal-phone-lines
National Law Hotline	1-800-777-FAIR	See website	https://www.sll.texas.gov/self-help/where-to-go-for-help/legal-hotlines/

National Sexual Assault Hotline	1-800-656-4673	See website	https://www.rainn.org/get-help/national-sexual-assault-hotline
Sexual Assault Legal Hotline	1-888-296-SAFE	See website	http://www.txnd.uscourts.gov/texas-advocacy-project
Texas Department of Family Services	1-800-252-5400	See website	https://www.dfps.state.tx.us/About_DFPS/default.asp
Bowie County District Attorney	903-735-4800	601 Main Street, Texarkana, TX 75501	http://www.co.bowie.tx.us/page/bowie.district.attorney
Visa and Immigration Assistance			
TAMUT International Student Services	903-334-6752	University Center 414R	https://tamut.edu/Admissions/Apply/International/index.html
U.S. Citizenship and Immigration Services	1-800-375-5283	126 Northpoint Dr., Houston, TX 77060	https://www.uscis.gov/about-us/find-a-uscis-office/field-offices
Texas Workforce Commission	903-794-4163	1702 Hampton Rd., Texarkana, TX 75503	http://www.twc.state.tx.us/
Student and Financial Aid			
TAMUT Office of Financial Aid	903-334-6601	BASS 125	http://www.tamut.edu/Admissions/Enrollment-Services/Financial-Aid/index.html
TAMUT Veterans Services	903-334-6602	BASS 132	http://www.tamut.edu/Admissions/Enrollment-Services/Veterans-Services/index.html
Federal Student Aid Call Center	1-800-433-3243	N/A	https://studentaid.ed.gov/sa/

Investigations and Disciplinary Proceedings for Sexual Assault, Dating Violence, Domestic Violence, and Stalking

The victim of sexual assault, domestic violence, dating violence, or stalking may choose for the investigation to be pursued through the criminal justice system, the campus disciplinary system, or both. All proceedings will be prompt, thorough, and equitable.

The TAMUT University Police Department, with the victim's consent, will immediately conduct a criminal investigation of these types of incidents. If local police are called, criminal investigations will proceed according to their processes within their jurisdiction. Completed investigations by the University Police Department will be forwarded to the local District Attorney's office for review and possible prosecution. The University will change a victim's academic and living situations after an alleged offense by making special accommodations such as distant learning options if those changes are requested by the victim and are reasonably available. If the victim needs additional support during this time in the form of counseling support, alternative on-campus housing options, or academic accommodations, please contact the Office of Student Affairs at (903) 223-3061 so a staff member may work with the victim in a timely way to provide assistance. Assistance regarding these accommodations or protective measures will be kept confidential to the extent that it does not impair the university in its ability to provide the accommodations or protective measures.

Individuals may also report a sex offense to the University's Title IX Coordinator. This individual is responsible for coordinating the University's compliance with Title IX. The Title IX Coordinator's office is located in the University Center Building, room 414K, which is located at 7101 University Ave., Texarkana, Texas, 75503. The Title IX Coordinator can be reached at 903-334-6755. Whether a complaint is received by the UPD or Title IX Office, the complainant will receive a written explanation of their rights and options.

University disciplinary action may be imposed on individual students, recognized student organizations, and/or University faculty and staff found in violation of the University sexual misconduct policy. In addition to any criminal prosecution, students may be placed on probation, suspended, or expelled, for committing violent or criminal acts on-campus or at campus-related events. University disciplinary proceedings are detailed in the Texas A&M University- Texarkana Student Code of Conduct, located here:

<https://tamut.edu/campus-life/Student-Conduct/21-22%20Code%20%20aug%2027.pdf>

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

What happens when the police are called?

Police units will respond immediately. An ambulance or a police officer will transport the victim to the emergency room of the local hospital. The police will properly gather all evidence. A physical examination is necessary to take care of obvious and/or hidden physical injuries and document this evidence for possible criminal prosecution. If a sexual assault occurred, this would provide the opportunity for the victim to discuss with a physician potential pregnancy or communicable disease concerns. The TAMUT counselor will respond and can provide support and education to the victim.

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

Additional Law Enforcement Information:

In Texas, sexual assault (rape) is an offense that ranges from a second-degree felony to a first-degree felony punishable by a sentence ranging from two to ninety-nine years in prison and a fine of up to \$10,000.

University Disciplinary Process

The following university disciplinary process applies to Texas A&M University-Texarkana students, faculty, and staff located at NTCC and reflects the same policies, practices, and services that are applicable to Texas A&M University-Texarkana unless otherwise stated. NTCC students and employees are not enrolled in or employed by Texas A&M University-Texarkana, therefore, may have differing policies, practices, and services regarding disciplinary actions that are not required to be disclosed in this Annual Security Report.

Prohibited Conduct

The following misconduct is subject to disciplinary action. If a student, faculty member, or staff member has knowledge of a person(s) violating The Code or University Rules, he/she should submit knowledge of this alleged action in

writing by completing an Incident Report form, which is available online [here](#), or at the Office of Student Life, UC Room 125.

Offenses against persons include, but are not limited to:

1. Intentionally or recklessly causing physical or emotional harm to any person, including self, on University property or at University-sponsored activities off campus, and includes intentionally or recklessly causing reasonable apprehension of such harm.
2. Harassing another person, attempting, or threatening to subject another person to violent physical contact, or engaging in a course of conduct or repeatedly committing acts that threaten, or create reasonable apprehension for another person.
3. Stalking is a course of conduct directed at a specific person that would cause a reasonable person to have fear. Course of conduct is defined as “a pattern composed of more than one act over a period of time, however short, evidencing a continuity of conduct.”
4. Engaging in sexual misconduct, as defined, and outlined in the Sexual Misconduct Policy.
5. Taking any action or creating any situation that recklessly or intentionally endangers the mental or physical health of self or others or involves the forced consumption of liquor or drugs from self or others for the purpose of initiation into or affiliation with any organization or group.
6. Intentionally exposing genitals, buttocks, or breasts in a public place on campus.

Disciplinary Procedures

1. Administration: The Assistant Vice President of Student Life has primary authority and responsibility for the administration of student discipline. The Assistant Vice President of Student Life may delegate this authority to residence life staff, the PanHellenic Council, Residence Hall Association, or other Judicial Officers as appropriate.
2. Misconduct Complaint: Any person, including visitors, parents, or alumni may file a complaint alleging student misconduct. Complaints can be filed verbally at the Office of Student Life, room 420 University Center, via email or by completing an Incident Report form, which is available online at <https://cm.maxient.com/reportingform.php?TAMUTexarkana> or via email, or in person at UC suite 125.
3. Misconduct Notice: When, because of a complaint by a member of the University community or because of a disciplinary investigation, there is

reason to believe a student/student organization has violated the Code of Conduct, the student/student organization will be notified, simultaneously as the accuser, in writing via official university email account (Ace mail). The student/student organization must respond as required by the notice.

4. Informal Hearings: Cases not involving the sanctions of dismissal or suspension from the university may be heard informally, with notice and the opportunity to be heard afforded students/student organizations. An adjudication officer, appointed by the Assistant Vice President of Student Affairs, will discuss the charges with the student/student organizations and afford the student/student organization an informal hearing. Should the adjudication officer find justification, an appropriate disciplinary sanction will be issued. Should the student or student organization deny the charges, or the adjudication officer find that the charges require further examination or should the alleged misconduct merit consideration of suspension or dismissal, the matter will be referred for a formal hearing.
5. Formal Hearings: The University's procedure for formal hearings includes:
 - A. Written notice of charges containing a description of the alleged acts of misconduct, including (when available) time, date, and place of occurrence; and the rules of conduct allegedly violated by the student/student organization;
 - B. Written notice of the date, time, and place of the hearing, unless such right is waived in writing by the student/student organization;
 - C. A sufficient interval between the date of notification of charges and the date of the hearing, to allow the student/student organization to prepare a defense;
 - D. An opportunity to submit written, physical, and testimonial evidence, and to review evidence in support of the charged offense;
 - E. The hearing body may consist of a panel or individual appointed by the Assistant Vice President of Student Affairs;
 - F. Maintenance of a written summary or audio record of the hearing at University expense, though students/student organizations may be required to pay the cost of copies of the records;
 - G. A decision based upon a preponderance of the evidence standard, i.e., sufficient to make a reasonable person believe that the charged offense is more likely true than not true;
 - H. A written decision generally will be issued within ten (10) business days of the proceeding,
 - (a) In cases of alleged sexual misconduct, the reporting party will be informed of the investigation report and hearing outcome at the same time as the responding party; and

- I. A respondent is entitled to an advisor of their choice, counsel, or parent at any meeting during the process. The advisor of their choice, counsel, or parent may only consult and interact privately with the student, but he/she will not be allowed to address the investigator or hearing board. In cases of alleged sexual misconduct, the reporting party is entitled to have an advisor of their choice, counsel, or parent at the hearing.
6. Conduct of Hearings:
 - a. The conduct of hearings shall be committed to the University, which may make all rules reasonable and necessary for the orderly and efficient disposition of cases.
 - b. Conduct hearings are closed to the public and only those directly involved with the hearing may attend.
 - c. The conduct of hearings shall ensure that the responding student/student organization has a reasonable opportunity to answer, explain, and respond to all charges.
 - d. The University shall have the burden of proof in all cases.
7. Waivers: A student, through a written statement, may waive his or her rights to a hearing.
8. Appeal Procedures: An appeal is not simply a rehearing of the original case, but a review of the official record and the written statement of appeal provided by the student. An appeal must comply with this Code. It must assert at least one recognized basis for appeal (See Section 9), supporting evidence, and argument in support of the basis for appeal. The appeal must be presented to the Assistant Vice President of Student Affairs' office within ten (10) business days of receipt of notice of sanctions.
9. Grounds for appeals: Both parties will simultaneously receive written notification of the procedure to appeal. An appeal must meet one or more of the following grounds to be considered:
 - a) procedural error or omission occurred that significantly influenced the outcome of the hearing.
 - b) sanction was not appropriate to the violation. and/or
 - c) Significant information is shown on appeal that was not available at the time of the administrative meeting, could not have been obtained for the presentation during the meeting by the student's exercise of reasonable diligence, and materially affects the findings or sanctions.
10. Appeals for cases that do not involve suspension or expulsion: An appeal will be delivered to the Assistant Vice President of Student Life within (10) ten days of receipt of notice of sanctions. The Assistant Vice President of

Student Life will decide whether to hear the case or send it to an Appeal Panel. Should the Assistant Vice President of Student Life hear the case, he/she will review the file and determine whether to approve, reject, or modify an earlier decision or the consequences recommended or imposed within ten (10) business days of receipt of the appeal unless extenuating circumstances apply.

11. Appeals for cases of suspension or expulsion: The appeal will be forwarded by the Assistant Vice President of Student Life to the Office of the Vice President for Student Enrollment, Engagement and Success. The Vice President for Student Enrollment, Engagement and Success will decide whether to hear the case or send it to an Appeal Panel. Should the Vice President for Student Enrollment, Engagement and Success hear the case, he/she will review the file and determine whether to approve, reject, or modify an earlier decision or the consequences recommended or imposed within ten (10) business days of receipt of the appeal unless extenuating circumstances apply.

Should the Vice President of Student Enrollment, Engagement and Success decide to send the case to an Appeal Panel, the following procedures will apply:

- a) The Appeal Panel shall consist of three members of the University: one faculty member, one staff member, and one student member.
 - b) An Appeal Panel will normally be convened within twenty (20) business days following notification from the Assistant Vice President of Student Affairs.
 - c) The Panel shall review the file and recommend to the Appeal Officer whether to approve, reject, or modify an earlier decision or the consequences recommended or imposed. A majority vote will be required in all decisions.
 - d) The Appeal Officer will inform the Assistant Vice President of Student Life of the decision in writing and provide these findings and sanctions to the student/student organization and accuser simultaneously in writing within ten (10) business days.
 - e) The Assistant Vice President of Student Life shall implement the decision of the Appeal Officer. The decision of the Appeal Officer will be final, and the sanction(s) imposed will stand.
12. Interim Action/Interim Suspension Except in cases where the Vice President for Student Enrollment, Engagement and Success or Assistant Vice President of Student Life deems interim action necessary or appropriate, the status of a student should not be altered, nor their right to

be present on campus and to attend classes suspended prior to a disciplinary meeting. The Assistant Vice President of Student Life may order that a student be immediately excluded from classes, University facilities (including University Housing), or denied privileges and participation in activities when the student's continued presence may constitute an unreasonable risk of harm to the university community. An interim action will be preceded by notice to the affected student as promptly as reasonably possible. The notice will state the basis for the interim action and provide information for requesting a hearing to determine the merits of the interim action. If it appears that the student's behavior warrants a medical withdrawal, the Vice President for Student Enrollment, Engagement and Success or Assistant Vice President of Student Life may initiate the appropriate measures.

13. The University may take the following interim actions:
 - a. Place a hold on the student's registration, transcripts, new awards of financial aid, and/or other University records until the case is adjudicated when the following circumstances occur:
 - i. The student has failed to respond to requests for information from the University;
 - ii. The student has failed to appear for the hearing; or
 - iii. The alleged conduct may pose an unreasonable risk of harm to the University community.
 - b. When a student has pre-registered for a term after the one in which the hold is placed, the University may also revoke the registration of the student.
 - c. When allegations implicate the qualifications of a student to graduate, such as allegations of academic fraud or serious allegations of misconduct, the University may defer graduation until the charges are determined.
- b) The decision to place a hold on registration, revoke registration, or delay graduation may be appealed to the Vice President for Academic Affairs. The University may impose reasonable conditions on release of the hold.
- c) In addition to the actions described above, the following actions may also be taken:
 - i. Order that the student/student organization be immediately denied University privileges and be excluded from activities on the campus when the student/student organization's continued activity on the campus may constitute an unreasonable risk of harm to the campus community.

- ii. Issue a No Contact Order in cases involving allegation of assault, injury, harassment, or where there is reason to believe continued contact between the accused student or organization members and other specific persons, including reporting parties and witnesses, may interfere with those persons' security, safety or ability to participate effectively in work or studies, the Assistant Vice President of Student Affairs, the Residence Life Coordinator or Chief of the University Police Department may order that the accused student/student organization members not have contact with specific persons. The student/student organization will receive written notice of the "No Contact Order."
 - iii. Impose an interim suspension from specific locations on campus or the entire campus if it is believed that continued presence on the campus, or in certain areas of the campus, might be disruptive to, or pose an unreasonable risk of harm to the University community.
14. Sanction Guidelines: If a student or student organization is found responsible for a violation of The Code, the Conduct Officer will determine the sanction(s) to be imposed. The following sanction guidelines are intended to be a recommended format:
- a. Disciplinary Warning: An official written notification that the student or student organization's conduct is in violation of the University's Code of Conduct and specifies expectations for the future. Further misconduct may result in more serious sanctions.
 - b. Disciplinary Probation: This probationary condition remains in effect for a specified period and may involve the loss of specified privileges. Further violation of University rules during the probationary period will be viewed as not only a violation based upon the act itself but also as a violation of the probation, which may result in further action up to and including suspension or dismissal.
 - c. Suspension: Suspension terminates the student's enrollment at the University for a specified period of time. Completion of specified stipulations may be required for readmission at the end of the suspension period.
 - d. Suspension in Abeyance: Although the behavior may warrant suspension or expulsion from the University, due to extenuating circumstances, the Judicial Officer may choose to hold the student or student organization's suspension in abeyance for a specified period of time. When a suspension is

held in abeyance, the student or organization may remain at the University provided they comply with the Code of Conduct and any education sanctions. Further violation of The Code may result in immediate Suspension or Expulsion.

- e. Suspension of an organization from the University for a specified period: The organization will lose its privileges as a registered student organization and can no longer be an active participant in the University for the duration of suspension.
- f. Expulsion: Expulsion permanently separates a student from the University without opportunity to re-enroll in the future. Expulsion of a student organization entails a permanent separation from the University. The imposition of this sanction is a permanent bar to the student organization's registration and privileges.
- g. Other Sanctions: Other appropriate sanctions may be imposed singularly or in combination with any of the above-listed sanctions. Examples include, but are not limited to, fines, restitution for property damage or misappropriation of property or services of the University or of any person, University Housing contract termination or reassignment to another room, restriction of access to specified campus facilities and/or property, research assignments, criminal trespass notices, campus service projects, special workshop participation and/or no contact orders.

Written Request

The University will disclose to the alleged reporter of a crime of violence, or non-forcible sex offense, the results of any disciplinary hearing conducted by the University against the student who is the alleged perpetrator of the crime or offense. If the alleged reporter is deceased as a result of the crime or offense, the institution will provide the results of the disciplinary hearing to the reporter's next of kin, if requested in writing.

Transcript Notations

Texas law and Texas A&M System policy 11.99.02 requires that an annotation be made on a student's transcript who is "ineligible to reenroll in the institution for a reason other than an academic or financial reason." In addition, TAMUT is required to note Suspension and Expulsion on a student's transcript that has been suspended or expelled from the university for a violation of the Student

Code of Conduct. Notations for suspensions will be active during the effective dates of the separation. Expulsion from the University will be permanently placed on the transcript unless the institution determines that compelling cause exists to remove the notation. If a student is suspended or expelled from the University, he/she will not be eligible for reimbursement of funds.

Prevention and Awareness Programs

The University Police Department in conjunction with Student Life, Athletics, SSC, and the Environmental, Health & Safety Office provides the following services to promote crime prevention and security awareness to TAMUT students and employees:

- National Night Out Event
- Crime prevention tips to staff and students via Facebook and the Office of Communications
- Regular reports on inoperable exterior and interior lights, overgrown shrubbery, unsecured or inoperable doors, and locks
- Outdoor phones (Blue Boys) for emergency calls on campus
- 911 lines connecting every phone to police
- Responding to calls for service (2,664 in 2022)
- Police patrols 24 hours a day, 7 days a week
- Residence Hall staff and University Police Department make nightly rounds of residence hall
- Safety programs offered throughout the year
- Daily Crime and Fire Log
- UPD Engraver available so that students can mark their property in case of theft.

Security Awareness and Crime Prevention Programs and Education

It is our goal to provide a safe and crime-free campus so that students, faculty, and staff can focus on education and overall quality of life. In addition to the services provided by University personnel, the University hosts several security awareness programs and provides students with safety tips and instructions on how to prevent crime, and also how to report a crime. The University Police Department also conducts several Q&A sessions with parents, staff, and faculty regarding campus life, reporting crimes, and general safety tips. Students, employees, and visitors must also assist the university, being responsible for their own safety and the safety of others. The University attempts to equip individuals to do so with education and training regarding "Bystander Intervention."

Current programs available to all TAMUT employees and students, including those at TAMUT at NTCC, are listed below. Programs are held virtually or on the Texarkana campus unless otherwise indicated.

Current Programs*

UPD Facebook Page

- Periodic posts regarding the monthly focus (Security Awareness, Campus Crime Prevention, VAWA, National Campus Safety, Domestic Violence, Alcohol Awareness, and Bystander Intervention).

CRASE (Civilian Response to Active Shooter) Training

- This training is available to all students and employees of TAMUT. The training course covers the Avoid, Deny, Defend strategy to help survive an active shooter event. Multiple sessions are provided throughout the year.

UPD Introduction to Parents and Students

- This session discusses UPD's general job description and services offered such as flat assist, battery boosts, and lock picking. Drugs and alcohol are also discussed with the consequences of being caught on campus explained to both students and parents.

Safe Eagles Session

- This session, hosted by the University Police Department, goes over critical information everyone needs to know in the unlikely event of an emergency situation on campus. Covering topics from active shooter response to weather-related emergencies, this session will give you the "need to know" so that you will know how to respond if there is an emergency.

Location-based Personal Safety (as requested)

- Faculty, Staff, and Students can request one-on-one meetings with Chief Serrano or a UPD Officer to visit their on-campus location to review their evacuation options and teach best practices for personal safety and self-defense using the items present in their offices or dorm room.

See Something, Say Something

- Training is provided to all students living in the Residence Hall, which aims to remind students that Residential Advisors are available to help with safety concerns. It is reinforced that residents should report any issues to staff so that other residents can receive aid and support.

Campus Resource & Prevention Conversations

- Campus resource and prevention conversations with University Police Chief and Assistant Vice President of Student Affairs, to discuss crime prevention strategies, campus resources, and sexual assault resources.

Step Up! It is on us!

- Aims to educate and reshape attitudes and behaviors toward social interactions. This program wants to counteract the bystander effect on the campus and train and teach students how to do so.

So, You're an Adult Now..." Game Show

- This event, hosted by First Year Experience, covers campus crime prevention and bystander intervention in a Family-Feud style role-playing game

"Poetry as Protest" a Spoken Word Workshop

- Students discuss topics addressing hate crimes using poetry

"Be A Difference Maker" Keynote with Kathryn Montgomery

- This session addresses topics such as sexual assault prevention, discrimination, and bystander intervention for incoming first-year students

Alcohol and Illegal Drug Abuse and Prevention Programs and Education

TAMUT is committed to a drug-free environment and protecting the safety, health, and well-being of all employees and students. The University will act to ensure compliance with all local, state, and federal laws and System policies dealing with controlled substances, illicit drugs, and use of alcohol.\

Current programs available to all TAMUT employees and students, including those at TAMUT at NTCC, are listed below. Programs are held virtually or on the Texarkana campus unless otherwise indicated.

Current Programs*:

Tobacco Impact on Athletic Performance (January 27, 2016 – June 30, 2025)

- Online training for Student Athletes

Dietary Supplements & Sports Nutrition (January 25, 2016 – June 30, 2025)

- Online training for Student Athletes

Alcohol Impact on Athletic Performance (January 27, 2016 – June 30, 2025)

- Online training for Student Athletes

Drug Prevention (January 27, 2016 – June 30, 2025)

- Online training for Student Athletes

Soccer with Drunk Goggles

- This event looks to raise awareness and provide tips on how to remain safe around alcohol. Students must wear disorientating drunk goggles while playing soccer. Drunk goggles mimic what it is like to be drunk, and help individuals understand (when they are in a sober state of mind) how being drunk affects their body and brain.

The S#!\$ I wish I knew In College - Discussion Panel

- This event is hosted by the campus activities board and encourages students to discuss topics such as drug and alcohol abuse and prevention in college.

“Awareness” Poster Series

- Poster series for students residing on campus in Bringle Lake Village. Posters included information on drug and alcohol abuse and prevention strategies.

Student Organization Risk Management Training

- Training session is mandatory for all student organization Presidents and Advisors and is available to any student organization members that wish to complete it. The training addresses abuse and prevention awareness for illicit drugs and alcohol, sexual abuse and harassment, and hazing.

Tobacco Impact on Athletic Performance (January 27, 2016 – June 30, 2025)

- Online training for Student Athletes

Dietary Supplements & Sports Nutrition (January 25, 2016 – June 30, 2025)

- Online training for Student Athletes

Alcohol Impact on Athletic Performance (January 27, 2016 – June 30, 2025)

- Online training for Student Athletes

Drug Prevention (January 27, 2016 – June 30, 2025)

- Online training for Student Athletes

Drunk Goggles FIFA tournament

- This event looks to raise awareness and provide tips on how to remain safe around alcohol. Students must wear disorientating drunk goggles while

playing FIFA. Drunk goggles mimic what it is like to be drunk, and help individuals understand (when they are in a sober state of mind) how being drunk affects their body and brain.

“Awareness” Poster Series

- Poster series for students residing on campus in Bringle Lake Village. Posters included information on drug and alcohol abuse and prevention strategies.

Student Organization Risk Management Training

- Training class mandatory for all student organization Presidents and Advisors and is available to any student organization members that wish to complete it. The training addresses abuse and prevention awareness for illicit drugs and alcohol, sexual abuse and harassment, and hazing.

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

It is the policy of Texas A&M University-Texarkana that the University will not tolerate physical abuse, threats of violence, physical assault, or any form of sexual assault or abuse including, but not limited to, acquaintance or date rape, domestic violence, dating violence and/or stalking.

Current programs available to all TAMUT employees and students, including those at TAMUT at NTCC, are listed below. Programs are held virtually or on the Texarkana campus unless otherwise indicated.

Current Programs*:

New Student Title IX Training

- This event is required for all first-year students. This training defines Sexual Assault, Sexual Exploitation, Stalking, Dating Violence, and Domestic Violence, establishes what the community standards are for Sexual Harassment, defines Consent, and includes examples of people that are unable to give consent (individuals asleep, mentally or physically incapacitated, etc.), reports A&M – Texarkana’s requirements for investigating allegations of Title IX violations, and lists who to contact if you have questions or want to report a violation of Title IX or the Student Code of Conduct.

Sexual Awareness and Prevention Week

- Events include Donut You Know Your TAMUT Resources, an opportunity to enjoy complimentary donuts and coffee while getting to know TAMUT's Clery Compliance Officer, Title IX Director, UPD and Counseling team; TAMUT Denim Day where the campus community wears denim to show support for victims of sexual assault; TEAL Day, where the campus community wears teal, participates in an awareness walk around the lake, and a flower release for victims of sexual assault.

Campus Resource & Prevention Conversations

- Campus resource and prevention conversations with University Police, students, and Director of Student Life, to discuss crime prevention strategies, campus resources, and sexual assault resources.

Wellness After Dark

- This event allows students in our Bringle Lake Village Residence Halls to participate in an open conversation with each other about sexual assault.

Word Mental Health Day Table

- Chi Sigma Lota addresses sexual assault and alcohol abuse prevention with an informational distributional activity.

Orientation and Hatch Camp sessions (by semester)

- Counseling Services and UPD present informational materials on campus safety and sexual assault to incoming students and parents.

Women's Health Workshop

- In partnership, Omega Chi and C.R.O.W.N. host a Women's Health Workshop in which various topics such as Taking a Pause, Toxic Relationships, Physical Health, and Finances are discussed.

TrainTraq Seminars (as scheduled)

Ethics and Discrimination-free training are provided to all TAMUT employees, with refreshers required every two years. Title IX presentations are also included in new hire orientation

Bystander Intervention and Risk Reduction

Bystander Intervention is defined as the willingness to take action and help someone in a time of need. Safe and positive options for Bystander Intervention will be in place for an individual who intervenes to prevent harm when there is a risk of sexual assault, domestic and dating violence and stalking against another person. Education programs for sexual assault, domestic and dating violence and

stalking will also include ways to become an active bystander. We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm.

Education programs for sexual assault, domestic and dating violence and stalking will also include ways for risk reduction. With no intent to victim blame and recognizing that only rapists are responsible for rape, the following are some strategies to reduce one's risk of sexual assault or harassment.

1. Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of an unpleasant situation.
2. Stay away from isolated areas as it is more difficult to find help if no one is around.
3. Walk with a purpose. Even if you do not know where you are going, act like you do.
4. Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably is not the best place to be.
5. Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
6. Avoid putting headphones in both ears so you can hear what is going on around you.
7. When you go to a social gathering, go with friends. Arrive together, check in with each other throughout the evening and leave together. Always keep an eye on your drink and never leave it unattended. Do not accept drinks from people you do not know.
8. Watch out for your friends and vice versa. If a friend seems out of it or intoxicated, get them to a safe place immediately.
9. The adage "better safe than sorry" is tried and true. Anytime you feel like you are in an uncomfortable situation, leave with a friend or call for help before things escalate.

Sex Offender Registry

The Federal Campus Sex Crimes Prevention Act requires institutions of higher education to advise the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained.

In the State of Texas, the Texas Department of Public Safety (DPS) is the statewide source of information on sex offenders required by law to register. The

DPS Sex Offender Registration open record information may be obtained at this website:

<https://publicsite.dps.texas.gov/SexOffenderRegistry>

In addition, the Texas DPS is required to notify TAMUT if a registered sex offender is enrolled, employed, or carrying on some type of vocation at the University, including at the TAMUT at NTCC campus.

In the event that a registered offender(s) is working or enrolled in classes at the TAMUT at NTCC campus, a list of that person(s) name may be obtained at the University Police Department office in the Central Plant Building or the Office of the Director of Student Life in the University Center.

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: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Consent: Consent is a clear and voluntary agreement to engage in a specific sexual activity. A person who was asleep or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason, or whose agreement was made under duress or by threat, coercion, or force, cannot give consent. Consent is not given if it results from the use of force, threats, intimidation, or coercion.

Consent is established when a reasonable person would consider the words of the parties to have manifested an agreement between them to do the same thing, in the same way, at the same time, with one another. Consent is not given if it results from the use of force, threats, intimidation, or coercion.

A person who does not want to consent to sex is not required to resist. Consent to some forms of sexual activity does not automatically imply consent to other forms of sexual activity. Silence, previous sexual relationships, or the existence of a current relationship do not imply consent. Consent cannot be implied by attire or inferred from the giving or acceptance of gifts, money, or other items. Consent to sexual activity may be withdrawn at any time, as long as the withdrawal is communicated clearly.

Withdrawal of consent can be done in numerous ways and need not be a verbal withdrawal of consent. A student's intentional use of alcohol/drugs will not function as a defense to a possible violation of this rule.

Without Consent, in regard to sexual assault is defined in the Texas Penal Code as:

1. The actor compels the other person to submit by the use of violence;
2. The actor compels the other person to submit by threatening to use violence against the victim or any other person;
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 a mental disease the other person is, at the time of the sexual assault, incapable of appraising the nature of the act;
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. (Texas Penal Code Sec. 22.011)

Additionally, there is a difference between seduction and coercion. Coercing someone into sexual activity violates this policy in the same way as physically forcing someone into sex. Coercion happens when someone is pressured unreasonably for sex.

Because alcohol or other drug use can place the capacity to consent in question, sober sex is less likely to raise such questions. When alcohol or other drugs are being used, a person will be considered unable to give valid consent if they cannot fully understand the details of a sexual interaction (who, what, when, where, why, or how) because they lack the capacity to reasonably understand the situation. Individuals who consent to sex must be able to understand what they are doing. Under this policy, "No" always means "No," and "Yes" may not always mean "Yes." Anything but a clear, knowing, and voluntary consent to any sexual activity is equivalent to a "No."

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: Touching the private parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the

victim is incapable of consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Incest: Non-forcible sexual intercourse between persons who are related to each other within 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; and where the existence of such a relationship shall be determined based on a consideration of the following factors:

1. the length of the relationship;
2. the type of relationship;
3. the frequency of interaction between the persons involved in the relationship.

An act with the above qualifications that is intended to result in physical harm, bodily injury, or sexual assault, or that is a threat that reasonably places the victim in fear of imminent physical harm, bodily injury, or sexual assault is considered Dating Violence. (Texas Family Code 71.0021)

Domestic Violence: A felony or misdemeanor crime of violence committed by:

1. a current or former spouse or intimate partner of the victim,
2. a person with whom the victim shares a child in common,
3. a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,
4. 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.

Family Violence: (included as domestic violence within the Clery Act) an act, other than a defensive measure to protect oneself, by a member of a family against another member of a family that is intended to result in physical harm, bodily injury, or sexual assault, or that is a threat that reasonably places the family member in fear of imminent physical harm, bodily injury or sexual assault. (Texas Family Code 71.004)

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.

The Texas Penal Code Sec. 42.072 Defines Stalking this way: when a person commits an offense on more than one occasion and pursuant to the same course of conduct directed specifically at another person, knowingly engages in conduct that:

1. The actor knows or reasonably believes the victim will regard as threatening bodily injury or death for the other person; bodily injury or death for a member of the other person's family or for an individual with whom the person has a dating relationship; or that an offense will be committed against the other person's property.
2. Causes the other person, a member of the other person's family, or an individual with whom the other person has a dating relationship to be placed in fear of bodily injury or death or fear that an offense will be committed against the other person's property. Further, it would cause a reasonable person to fear bodily injury or death for themselves; bodily injury or death for a member of the person's family or for an individual with whom the person has a dating relationship; or that an offense will be committed against the person's property.

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 is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary for an injury to result when a gun, knife, or other weapon is used in the commission of the crime.

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

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 Crimes: A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Possible bias categories under the Clery Act include, but are not limited to: Race, Gender, Gender Identity, Religion, Sexual Orientation, Ethnicity, National Origin, and Disability. 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.

Possible bias categories are defined as the following:

- **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, Caucasians, or 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.
- **Gender Identity:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender nonconforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as such.
- **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.
- **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 a 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, 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 age, or illness.

Definitions of additional crimes to be considered under the Clery Act if the offense is motivated by bias:

- **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:** Unlawfully placing 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:** To willfully or maliciously destroy, 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 & Referrals for Disciplinary Action

Under the Clery Act institutions must also report arrests and referrals for disciplinary action for liquor law violations, drug law violations, and weapons law violations.

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.

Drug Law Violation: 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—manufactured narcotics that can cause true addiction (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Liquor Law Violation: 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.

Clery Act Geography

The Clery Act requires institutions to disclose within their annual crimes statistics disclosure where the crime occurred. In Compliance with the Clery Act, TAMUT discloses statistics for reported Clery Act crimes that occur, (1) On-Campus, (2) On public property within or immediately adjacent to the campus, and (3) In or on Non-campus buildings or property that TAMUT owns or controls. The On-Campus category combines crime statistics for the On-Campus Student Housing Facility (Residence Hall) and other On-Campus property, such as academic buildings and parking lots. The Residence Hall category reflects only crimes reported as occurring inside the Residence Hall.

On-Campus:

1. 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;
2. and any building or property that is within or reasonably contiguous to the area identified in Section 1 of this definition, that is owned by the institution but controlled by another person, is frequently used by

students, and supports institutional purposes (such as a food or other retail vendor).

On-Campus Student Housing Facility (referred to as Bringle Lake Village Residence Hall by TAMUT, located in Texarkana): Any student housing facility that is owned or controlled by the institution or is located on property that is owned or controlled by the institution and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

Non-campus Buildings or Property: Any building or property owned or controlled by a student organization that is officially recognized by the institution; or 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.

Public Property: All public property including thoroughfares, streets, sidewalks, and parking facilities that are within the campus, or immediately adjacent to and accessible from the campus. This includes the sidewalk across the street from our campus but does not include public property beyond the sidewalk.

A&M Texarkana at NTCC Crime Statistics

Hate Crimes

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

- 2020 – No hate crimes reported
- 2021 – No hate crimes reported
- 2022 – No hate crimes reported

TAMUT at NTCC* Crime Chart 2020, 2021, 2022

Offense (Crimes Reported by Hierarchy)	Year	On Campus	Non- Campus	Public Property	Total	Residential Facility*	Unfounded Crimes
Murder/Non Negligent Manslaughter	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Negligent Manslaughter	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Rape	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Fondling	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Incest	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Statutory Rape	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Robbery	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Aggravated Assault	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Burglary	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Motor Vehicle Theft	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0

Chart Continued on Next Page

TAMUT at NTCC* Crime Chart Continued 2020, 2021, 2022

Offense (Crimes Not Reported by Hierarchy)	Year	On Campus	Non- Campus	Public Property	Total	Residential Facility	Unfounded Crimes
Arson	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Domestic Violence	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Dating Violence	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Stalking	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0

Chart Continued on Next Page

TAMUT at NTCC* Arrests and Referrals 2020, 2021, 2022

Offense (Crimes Reported by Hierarchy)	Year	On Campus	Non-Campus	Public Property	Total	Residential Facility	Unfounded Crimes
Liquor Law Arrests	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Drug Law Arrests	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Weapons Law Arrests	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Drug Law Violation Referred for Disciplinary Action	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2020	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0

This concludes the crime statistics chart.

**Please note the statistics only represent property owned or controlled by TAMUT at the NTCC campus, which includes limited office space, classrooms, and shared parking lots and facilities. Crime statistics for the NTCC campus in its entirety are available through NTCC in NTCC's Annual Security Report and crime statistics disclosure.*