

THE ANNUAL SECURITY AND FIRE SAFETY REPORT

TEXAS A&M INTERNATIONAL UNIVERSITY 2024

We urge members of the University community to use this report as a guide for safe practices on and off campus.

GENERAL INFORMATIONAL NOTIFICATIONS

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

Copies of the ASFSR can also be obtained from the TAMIU University Police Department, 5201 University Boulevard Laredo, TX 78041. You may request to have a copy mailed to you by calling 956.326.2100.

ANNUAL SECURITY REPORT AND DISCLOSURE OF CRIME STATISTICS

The University Police Department is responsible for preparing and distributing the Annual Security and Fire Safety Report (ASFSR) to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (the Clery Act). The Fire Report section is generated by the Office of Housing & Residence Life and submitted to the University Police Department. The ASFSR is published every year on or before October 1 and contains three years of selected campus crime statistics and fire statistics, along with certain campus security policy statements in accordance with the Clery Act.

The TAMIU ASFSR is produced with input from various sources such as local law enforcement agencies, Housing and Residence Life, the Division of Student Engagement, and other campus officials/departments.

**THE ANNUAL SECURITY AND FIRE SAFETY REPORT
TEXAS A&M INTERNATIONAL UNIVERSITY 2024**

Message from the Chief of Police and the Senior Director for Campus Safety and Planning:

Dear TAMIU Community,

Texas A&M International University (TAMIU) is committed to providing a safe and secure environment for all who call our campus home, whether it be for a few hours, an academic career or lifelong employment. To that end, we present the 2023 Annual Security and Fire Safety Report (ASFSR), covering calendar years 2023, 2022 and 2021.

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

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

Thank you for taking time to review this important information and for helping make TAMIU a safer community for all. For more information or questions regarding this document, please email clerycompliance@tamiu.edu

Sincerely,

Cordelia G. Pérez
Chief of Police
University Police Department

Trevor C. Liddle
Senior Director & Clery Compliance Officer
Campus Safety and Planning

TEXAS A&M INTERNATIONAL UNIVERSITY - LAREDO CAMPUS

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

TAMUS-RELLIS ACADEMIC ALLIANCE CAMPUS

Institutions and agencies within the Texas A&M University System and Blinn College are collaborating to provide relevant academic and workforce training programs and conduct state-of-the-art research through the RELLIS Academic Alliance campus (RELLIS). RELLIS is owned and controlled by The Texas A&M University System (TAMUS); through our program agreement with TAMUS, we supplement our Annual Security and Fire Safety Report (ASFSR) with selected RELLIS information for our RELLIS enrolled students. TAMUS-RELLIS Academic Alliance and Texas A&M University Police Department (A&M PD) are solely responsible for all law enforcement, student conduct, Title IX, VAWA, and programming activities for this campus. RELLIS is located eight miles from Texas A&M University-College Station.

RELLIS policies are distinct from TAMIU and while they may be similar to the Laredo campus, the codes of conduct, policies, practices, and services are fully defined by the TAMUS-RELLIS Campus. For additional questions regarding The Texas A&M University System-RELLIS campus, please contact TAMUS-RELLIS Academic Alliance, Academic Complex, Phase 1 Building, Room 106F located at 3100 TX-47, Bryan, TX, 77807 by calling 979-317-3410, or emailing education@RELLIS.TAMUS.EDU.

TAMIU first enrolled students and employed staff at RELLIS in Fall 2019.

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Stalking

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**THE ANNUAL SECURITY AND FIRE SAFETY REPORT
TEXAS A&M INTERNATIONAL UNIVERSITY 2024**

1. LAW ENFORCEMENT

Public University law enforcement agencies are licensed under Article 51.212 of the Texas Education Code. All police officers employed by a University are fully certified Texas Peace Officers and have statewide arrest authority. Campus Security Officers provide support to our police officers, but do not have arrest authority.

The Police Departments of the A&M System protect and serve the System Members by providing professional law enforcement services while actively promoting community involvement through progressive policing strategies and a commitment to education.

Both TAMIU University Police Department (UPD) and Texas A&M University Police Department (A&M PD), collectively maintain a staffed PD, Administrative Operations Division, Criminal Investigations Division, and a Patrol Operations Division.

PD provides patrol service by car, bicycle, and foot on a daily basis, 24 hours a day, and as Peace Officers, both Departments' sworn armed police officers have the same authority to detain and arrest as municipal police officers.

Non-Campus Student Groups: TAMIU nor TAMUS-RELLIS Academic Alliance recognize any non-campus student organization facilities that fall outside of either core campus. Therefore, local PD is not used to monitor and record criminal activity since there are no non-campus locations of student organizations.

The Texas A&M University Police Department (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 through the Texas Crime Information Center (TCIC) and National Crime Information Center (NCIC) networks. All crimes occurring at RELLIS should be reported to UPD or submitted to UPD from the Blinn College Police Department (BCPD) officers or security. UPD investigates and refers crimes for prosecution through the Offices of the Brazos County Attorney and Brazos District Attorney when appropriate. Security officers assigned to the RELLIS campus are not sworn officers and do not have enforcement authority. Criminal matters involving students, employees, or others on campus are referred to police officers. Students and employees may also be referred to university administration for disciplinary action.

2. LAW ENFORCEMENT – Arrest Authority

As peace officers, UPD's armed police officers have the same full authority to detain and arrest as State police officers. UPD employs both commissioned and non-commissioned security officers. The commissioned security officers can detain and restrain according to statute but have no arrest authority. The non-commissioned, security officers do not have authority to detain or make arrests, but their presence and observations at various campus locations support and assist the work of the UPD Patrol Section. BCPD officers at RELLIS also have authority to detain and arrest. Security personnel assigned to RELLIS are non-commissioned and do not have detain or arrest authority.

3. LAW ENFORCEMENT – Jurisdiction – Clery Geography

As a matter of practice, PD officers only have enforcement jurisdiction on TAMUS owned property and limited public property immediately adjacent TAMUS property.

LAREDO CAMPUS

On-Campus: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to the institution’s educational purposes, including residence halls; and any building or property that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes. Note: Statistics for University housing facilities are recorded and included in both the all on-campus category and the on-campus residential only category.

NON-CAMPUS BUILDING OR PROPERTY: Any building or property owned or controlled by 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. Residence halls that are located outside the campus boundaries are captured in the Non-Campus category. TAMIU does not have any property that meets this definition.

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

TAMUS-RELLIS CAMPUS TAMIU, through our MOU with the TAMUS-RELLIS Academic Alliance, only utilizes academic teaching space in the academic building complex as assigned by TAMUS-RELLIS. TAMIU does not have any facility operational or administrative control over any other function(s) or service(s) provided to students enrolled on the TAMUS-RELLIS campus.

Annually, TAMIU University Police Department requests a copy of the crime statistics published by A&M PD for inclusion with our ASFSR to support transparency. The RELLIS crime statistic information provided by A&M PD does not provide sufficient enough information to properly classify the crimes under the Department of Education rules for Non-Campus classification, as a result TAMIU reports RELLIS statistics in its own table as a matter of transparency for students attending academic programs on the RELLIS campus.

TAMIU does not have the authority to review or comment on the data provided by A&M PD.

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Law Enforcement and security services on the TAMIU Laredo campus are provided by the Texas A&M International University Police Department (UPD).

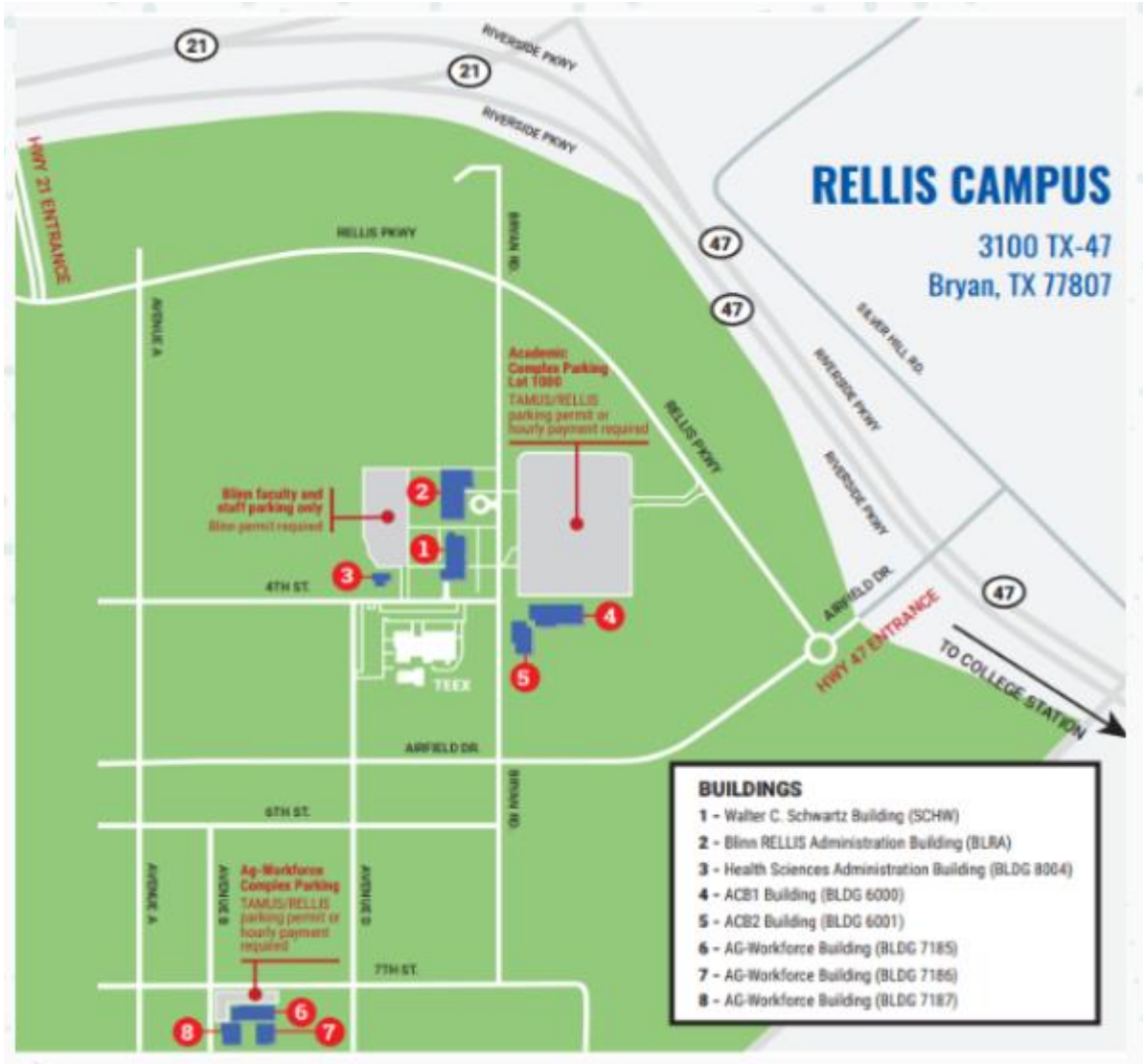
TAMIU Laredo Campus: 5201 University Boulevard Laredo, TX 78041



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Law Enforcement and security services on the TAMUS-RELLIS Academic Alliance campus are provided by the Texas A&M University Police Department (A&M PD).

TAMUS-RELLIS Campus: 3100 TX-47 Bryan, TX 77807



4. LAW ENFORCEMENT – Working Relationships

TAMIU Laredo Campus

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

TAMUS-RELLIS Campus

A&M PD maintains working relationships with all area law enforcement agencies including the College Station Police Department, Bryan Police Department, Brazos County Sheriff's Office, Blinn College Police Department, and all four Brazos County Constable Offices. These A&M PD working relationships are maintained through a written mutual aid agreement and MOU's specific to RELLIS. These agreements allow for cooperation in the performance of police protection including the investigation of alleged crimes, enforcement of laws, and communication between agencies.

TAMIU is NOT responsible for providing any law enforcement services on the RELLIS campus. TAMIU is NOT a participant in any of the A&M PD negotiated agreements. For additional details regarding law enforcement on the TAMUS-RELLIS Academic Alliance campus, please contact the RELLIS administrative offices, RELLIS Associate Director 979.319.3402, visit the office located in Academic Complex, Phase 1 Building 106F.

5. LAW ENFORCEMENT – Working Relationships Agreements

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

6. LAW ENFORCEMENT – Reporting Procedures

It is imperative that all crime and suspicious activity be accurately and promptly reported to campus law enforcement or other appropriate agency. By working together, the University community and the police can reduce crime on campus. Members of the University community may report criminal activities or other emergencies in several different ways. We encourage all campus community members to promptly report all crimes and other emergencies directly to your home campus law enforcement agency.

Students, faculty, staff, community members, and guests are encouraged to report all crimes and public safety-related incidents to UPD or Campus Security Authority (CSA) found on page 103, in a timely manner to aid in providing accurate and timely warning notices to the community when appropriate and to ensure inclusion in annual crime statistics. In the event of a serious incident, which may pose an on-going threat to members of the TAMIU or RELLIS community, a SafeZone/RELLISAlert is sent to all students and employees on campus.

If you would like to report a crime in person, the Laredo Campus UPD office is located in the University Police Department building at the corner of West Campus Loop and Entrance 3. The RELLIS A&M PD office is located in TEEX LAW Office Building and can be contacted at 979.845.2345. Electronic crime reports can be filed with TAMU PD by emailing upd@tamu.edu.

Crimes should be accurately and promptly reported to PD or the appropriate police agency, when the victim of a crime elects to.

Laredo Campus (Laredo, Texas)

Emergency* Dial 911

Non-Emergency Campus Telephone: ext. 2100

Non-Campus or Cellular Telephone: 956.326.2100

TAMUS-RELLIS Academic Alliance Campus (Bryan, Texas)

Emergency* Dial 911

Non-Emergency Campus Telephone: ext. 5-2345

Non-Campus or Cellular Telephone: 979.845.2345

7. LAW ENFORCEMENT – Response to Reports of Crime

Crimes should be accurately and promptly reported to PD or the appropriate police agency, when the victim of a crime elects to.

GENERAL PROCEDURES FOR REPORTING A CRIME OR EMERGENCY TO PD

PD incident reports involving students, with the exception of confidential reports, and reports of sexual violence (including sexual harassment), are shared with the Vice President for Student Engagement, Student Conduct and Community Engagement (SCCE) for the Laredo campus, and the TAMUS-RELLIS Provosts Office for incidents occurring at the TAMUS-RELLIS campus. Additionally, as appropriate, Title IX Office for potential action on the respective campus, as applicable.

When PD receives a report, the responding officer(s) initiate a preliminary investigation. Based on the results of the preliminary investigation and the presence of solvability factors, the investigative division will conduct follow-up investigations.

Additional information obtained via any investigation is also shared with the student conduct officer(s) and Title IX coordinators (as appropriate) as part of the conduct review process. All PD incident reports involving students alleging sexual violence (including sexual harassment) are shared with the appropriate Title IX Office which then coordinates outreach and next steps. Neither PD investigates these reports unless the complainant(s) wishes to file criminal charges.

TO REPORT A CRIME –

LAREDO OR TAMUS-RELLIS CAMPUS In the event anyone has information regarding crimes or emergencies on campus they should immediately notify PD using free on-campus telephones which, are located throughout campus in classrooms, meeting rooms or with a personal cellular phone or device. Emergency phones are located on the grounds of our residential facilities. These devices are directly connected to PD dispatchers and only require an individual to push the “Emergency” button to activate and establish the connection to PD. These devices are tested monthly to ensure they are in working order.

TO REPORT A CRIME - INTERCONNECTIVITY

PD is interconnected with municipal operated central communication centers; all callers using 911 are connected first to the **municipal** communication center and then transferred to PD Communications staff once it is confirmed that the caller is on a campus location.

TO REPORT A CRIME - LOCAL LAW ENFORCEMENT

All crimes should be reported campus PD. Crimes and calls for service reported to local law enforcement for/on either the Laredo or TAMUS-RELLIS campus, in Webb or Brazos counties, are transferred to the appropriate campus PD for resolution. In the event that a crime takes place in an off-campus location we encourage you to report that crime to the local law enforcement agency in the jurisdiction where you are, should you desire. If you are traveling on official University business you should request they contact the appropriate campus PD and upon your return directly report the crime incident to PD for inclusion with our annual statistics.

PD 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.

8. TO REPORT A CRIME – Reporting for Timely Warning purposes and Crime Statistics

Crimes should be accurately and promptly reported to PD or the appropriate law enforcement agency, when the victim of a crime elects to. Crimes reported to other campus offices may delay law enforcement response.

Faculty, staff, and students are encouraged to report any criminal offenses within the campus environment directly to PD. For non-campus offenses, we encourage accurate and prompt reporting to the proper local law enforcement agency.

Crime reports provided to PD 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 a Campus Security Authority, see the [CSA Powerpoint Presentation](https://upd.tamu.edu/Pages/CSA-Reporting.aspx) link located on the following webpage:
<https://upd.tamu.edu/Pages/CSA-Reporting.aspx>.

9. TO REPORT A CRIME – Prompt Reporting when victim elects to, or is unable to, make such report.

Students, faculty, staff, community members, and guests are encouraged to report all crimes and public safety related incidents to the appropriate campus PD or the appropriate police agencies in an accurate and prompt manner when the victim of such crimes elects or is unable to make such a report.

The PD has programs to provide 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. PD officers provide various departments contact information to victims encountered in the field. PD, and other university offices, 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.

10. TO REPORT A CRIME - Voluntary or Confidential Reporting

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 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 APPROPRIATE TITLE IX OFFICE. Exceptions include confidential reporters described in the next paragraph.

The following are considered confidential reporters: Mental health providers and health care for students and the TELUS Health Student Support App; 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).

11. TO REPORT A CRIME – Professional and Pastoral Counselors

While the PD always requests that all crimes on the campus be reported promptly, we do support professional and pastoral counselor's professional obligations to not disclose or report certain incidents. Should a professional or pastoral counselor determine that police involvement and reporting is needed, the PD will work with the counselor to respond appropriately. For statistical reporting purposes, professional and pastoral counselors may utilize our Confidential Reporting process to ensure that these incidents can be reviewed and included in our annual statistical reports. Under Texas law, there are times when these types of counselors are required to disclose non-identifying client information, regarding acts of sexual assault, dating violence, domestic violence, and stalking.

The University does not require pastoral and professional counselors to notify individuals they are counseling of the option to report crimes on an anonymous or confidential basis for inclusion in the annual statistical disclosure of crime statistics unless the counselors would like to do so. In addition, neither TAMIU nor RELLIS is required to provide a timely warning with respect to crimes reported to pastoral or professional counselors.

NOTIFICATIONS TO THE COMMUNITY

If there is an immediate threat to the health or safety of students or employees occurring on campus, TAMIU/TAMUS-RELLIS shall follow its emergency notification procedures. An institution that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances; however, the institution must provide adequate follow-up information to the community as needed. TAMIU and TAMUS-RELLIS policy is to immediately notify the campus community, via the SafeZone (RELLIS Alert at RELLIS) Emergency Notification System upon confirmation of a significant emergency or dangerous situation involving the immediate threat to the health or safety of students or employees on campus. The procedures disclosed in this section apply to incidents occurring at the RELLIS campus that warrant a Timely Warning (Crime Alert).

It is important to note that in some cases law enforcement may need to withhold some facts if releasing the information would compromise an ongoing investigation or the identity of the victim. Victim names are never included in emergency notifications or timely warnings. If a crime or incident of sexual misconduct poses an immediate threat to the campus community, where an emergency notification or a timely warning must be given to protect the health or safety of the larger University community,

Time permitting, the PD notifies other executive administrative stakeholders, specific to the associated campus, prior to issuing Crime Alerts on behalf of the RELLIS campus using established procedures as described below.

12. NOTIFICATIONS TO THE COMMUNITY – Timely Warning

Timely Warning Notices will be distributed as soon as pertinent information is available, in a manner that withholds the names of victims as confidential, and with the goal of aiding in the prevention of similar occurrences. In the event a crime is reported, this type of notification is focused on providing information regarding Clery reportable crimes occurring within the Clery geography of the campus.

13. NOTIFICATIONS TO THE COMMUNITY – Timely Warning - Non-identification of victim(s) to aid in the prevention of similar crime occurrences

Timely Warning(s) are issued through email to students, faculty, and staff in a manner that is timely, that withholds the names of victims as confidential, and that will aid in the prevention of similar occurrences. Recipients include, but are not limited to, TAMIU and RELLIS students and employees located at the appropriate campus of attendance/work. Information regarding the Timely Warning may be forwarded to local media outlets through a formal press release. Timely Warnings 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.

Timely Warnings 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.

14. NOTIFICATIONS TO THE COMMUNITY – Determining and Issuing Timely Warning

The circumstances in which a Crime Alert will be generated include, but are not limited to, the receipt of a report to PD or other campus security authority of a crime reportable under the Clery Act, that poses a serious or continuing threat to the campus community. The PD Chief of Police (or designee, depending on the campus, are responsible for determining if a Timely Warning will be issued.

Crimes that may warrant a Timely Warning include, but are not limited to, arson, murder/non-negligent manslaughter, robbery, aggravated assault, sex offenses, or other crimes as determined necessary by the PD Chief 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 PD or other campus security authorities are not notified of a crime in a manner that would allow the department to provide timely notice, a Timely Warning may not be issued depending on the circumstances. All situations will be evaluated on a case-by-case basis.

15. NOTIFICATIONS TO THE COMMUNITY – Timely Warning - Determination

The Chief or a designee, based on PD campus location, is responsible for reviewing the specifics of each incident to determine if the issuance of and to whom an appropriate notification is required.

When it is determined that a notification should be issued, the Chief of Police, his /her designee, a public information officer or other senior campus administrator generally writes them. A PD dispatcher or other designated administrator distributes them to the University community.

A report that is filed more than five days after the date of the alleged incident may negate the need for the PD to post a “timely” warning to the community. While this standard generally holds true, it is important to note that all cases are reviewed individually, and determinations for all aspects of the case are made on its own merits. If, after reviewing a case, it is determined that there is a serious or continuing threat to students and employees, then a timely warning is issued.

All Timely Warning or Emergency Notifications are written and authorized for distribution by the Chief or a designee.

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.

16. NOTIFICATIONS TO THE COMMUNITY – Timely Warning – Initiation

All Timely Warning Notifications are written and authorized for distribution by the Chief of Police or a designee.

17. NOTIFICATIONS TO THE COMMUNITY – Timely Warning – Distribution

Timely Warnings are normally sent via a mass email.

Should a notification be the course of action to be taken, all members of the campus community need to listen to and follow the instructions of emergency personnel. The campus community will be notified by our available communication methods (e.g., SafeZone/RELLIS Alert which may include sending messages via email, text messages, social media, TAMIU/TAMUS-RELLIS website, etc.). Authorized PD personnel or other authorized employee will issue notification to the campus community and issue another notification when the emergency or threat has passed, if deemed appropriate.

18. NOTIFICATIONS TO THE COMMUNITY – Timely Warning - Information exclusions

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.

19. EMERGENCY RESPONSE – Operations, Management, and Execution Procedures

The Vice President for Finance and Administration in Laredo and the Director of the RELLIS Campus, or designee, has primary responsibility for specific campus operations and emergency operations planning for their campus. Duties and responsibilities include coordinating emergency measures, declaring campus emergencies, and developing and maintaining emergency operations plans as necessary.

Both campuses have comprehensive campus Emergency Management/Operations Plan in place as the primary plan that describes the general framework for emergency response at the campus. In accordance with TAMUS guidance, the emergency management teams, as designated by the appropriate campus, coordinates and integrates all necessary resources to prevent, protect, mitigate, respond to and recover from emergencies that affect the campus and its constituents. The plan is designated to interface with community response organizations and anticipate potential emergencies which may affect any operation or service. The campus operations executive in coordination with campus resources and TAMUS Office of Environment, Safety & Security is responsible for maintaining and updating this plan. This plan shall be reviewed at least annually and updated based upon deficiencies identified during actual emergency situations, training and exercises, and when changes in hazards, resources, capabilities or organizational structure occur.

20. EMERGENCY RESPONSE - Current Evacuation Procedures.

All Texas A&M University System 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. Each campus EAP is a set of more specific emergency protocols for the individual member campus. TAMIU and RELLIS Academic Complex have each developed emergency action plans (EAP) to provide guidance for occupants and others in the event of foreseeable emergencies. The EAP includes a description of common threats, the Complex's fire and life safety features, incident reporting procedures, and evacuation procedures and drills. The building evacuation procedures will automatically be implemented when the fire alarm is activated or if emergency responders decide evacuation of a facility is necessary due to a particular hazard. Building occupants will be notified of the evacuation, as appropriate, dependent on the hazard.

The TAMIU EAP may be viewed at

<https://www.tamtu.edu/adminis/safety/emergency-mgmt/building-emergency-action-plans.shtml>

The RELLIS Academic Complex EAP may be viewed at

<https://rellis.tamus.edu/academicalliance/wp-content/uploads/sites/2/2023/09/Academic-Complex-EAP-Rev-005-1.pdf>.

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

Evacuation and Shelter-in-Place

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

Campus-wide Evacuation Procedures

In the event that you are asked to evacuate campus:

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

Area Evacuation Procedures

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

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

If you need special assistance, contact your resident advisor, building proctor or other appropriate emergency contact. If these persons are not available, call PD for assistance.

TAMIU - Laredo
956-326-2100

TAMUS-RELLIS
979-845-2345

Shelter-in-Place Procedures

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

- Move indoors or remain there—avoid windows and areas with glass
- If available, take a radio or television to the room to track emergency status
- Keep telephone lines free for emergency responders. Do not call 911 for information.

If hazardous materials are involved:

- Turn off all ventilation systems and close all inlets from the outside

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- Select a room(s) which is easy to seal and, if possible, has a water supply and access to restrooms
- If you smell gas or vapor, hold a wet cloth loosely over your nose and mouth and breathe through it in as normal a fashion as possible

21. NOTIFICATIONS TO THE COMMUNITY – Distribution of Emergency Response Messages - Using Electronic and Cellular Communication

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

Messages regarding incidents and any required updates to the TAMIU/TAMUS-RELLIS community about any particular case may be distributed via mass email or text message, appropriate social media outlets, and/or digital signage. There may also be postings on the TAMIU/TAMUS-RELLIS website.

TAMIU and TAMUS-RELLIS utilize a broad spectrum of platforms and devices as part of their Emergency Notification Systems. Primary to this effort is the SafeZone/RELLIS Alert Emergency Notification System which can send messages using one or all of the following methods: email, text, social media, the University website, active crawl notifications, and indoor and outdoor public address system on campus.

As determined by the Chief or designee, the campus may implement any or all of the following communication methods: SMS text message, official University email accounts, and official Facebook and Twitter accounts. The system and its various supplements (notification system and public address system) are only activated to provide official notification of critical emergencies (i.e., situations that pose an imminent threat to the community). If any of these systems fail, or the University deems it appropriate, in person communication may be used to communicate an emergency.

22. NOTIFICATIONS TO THE COMMUNITY – Emergency Notification

Upon confirmation that a significant emergency exists, it is the policy of TAMIU and TAMUS-RELLIS to respond to all threats seriously and implement our Emergency Notification and Management Plan accordingly. Notification will be made without delay and will take into account the safety of the associated campus. PD determines if a significant emergency exists by many methods including but not limited to: location visual confirmation, monitoring life safety systems, monitoring media outlets, communication, and coordination with other law enforcement agencies.

23. NOTIFICATIONS TO THE COMMUNITY – Emergency Notification - Determining/Confirming

The Chief or a designee, based on PD campus location, is responsible for reviewing the specifics of each incident to determine if the issuance of and to whom an appropriate notification is required. When it is determined that a notification should be issued, the Chief of Police, his /her designee, a public information officer or other senior campus administrator generally writes them. A PD dispatcher or other designated administrator distributes them to the specific campus community.

24. NOTIFICATIONS TO THE COMMUNITY – Emergency Notification - Distribution

Emergency Notifications are normally sent via a targeted email.

Should a notification be the course of action to be taken, all members of the campus community need to listen to and follow the instructions of emergency personnel. The campus community will be notified by our available communication methods (e.g., email, SafeZone/RELLIS Alert which may include sending messages via email, text messages, social media, TAMIU/TAMUS-RELLIS website, etc.). Authorized PD personnel or other authorized employee will issue notification to the

campus community and issue another notification when the emergency or threat has passed, if deemed appropriate.

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.

25. NOTIFICATIONS TO THE COMMUNITY – Emergency Notification - Determination of Notice Content

Employees authorized to make a final determination of a significant emergency or dangerous situation and determine the content of a SafeZone/RELLIS Alert are:

TAMIU Laredo:

TAMIU Vice President for Finance and Administration or designee, UPD Chief of Police, UPD Assistant Chief of Police

TAMUS-RELLIS,

RELLIS Campus Director or designee. 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 SafeZone/RELLIS Alert publisher will send the approved and appropriate notification.

In circumstances where time is of the essence, certain 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.

26. NOTIFICATIONS TO THE COMMUNITY – Emergency Notification – Initiation

Upon determination that an emergency situation exists. All Emergency Notifications are written and authorized for distribution by the Chief of Police or a designee.

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 enumerated methods in this report, emergency notification systems, to be distributed on behalf of the appropriate 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.

27. NOTIFICATIONS TO THE COMMUNITY – Differences Timely Warning & Emergency Notification

The SafeZone/RELLIS Alert emergency notification system does not replace the Timely Warning requirement. They differ in that the Timely Warning requirement applies to Clery reportable crimes, while the emergency notification notice addresses a much wider range of threats (i.e. gas leaks, tornadoes, active shooter, etc.). If an emergency notification is issued, the campus is not required to issue a Timely

Warning based on the same circumstances; however, the institution must provide adequate follow-up information to the community as needed.

28. NOTIFICATIONS TO THE COMMUNITY – Follow-up or Status Updates

As appropriate, and as soon as possible, and so as not to imperil any on-going investigation, the Chief of Police, his/her designee, or the Incident Commander will evaluate and determine updates to the campus community. Follow-up or updates to an ongoing situation will be distributed by either the assigned public information officer, his/her designee or a UPD Dispatcher via the messaging notification systems or any other approved and appropriate communication method that is most pertinent for the message being communicated. Minimally, notification will be sent via email or text message.

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

29. NOTIFICATIONS TO THE COMMUNITY – Emergency Notifications - Prompt Distribution

Emergency Notifications will be distributed immediately upon confirmation that a dangerous situation or emergency exists or threatens the campus community. Immediately threatening circumstances include the use of force, a weapon, crimes of violence, severe weather, disease outbreak or other circumstances that represent a serious and ongoing threat to TAMIU/TAMUS-RELLIS students, faculty, staff, or visitors.

30. NOTIFICATIONS TO THE COMMUNITY – Broad distribution to the larger community

In the event that a crisis occurs on either campus, the TAMUS Office of Marketing and Communications will be notified as soon as possible. As chief spokesperson(s) for the System, TAMUS Marketing and Communications staff will support the campus public relations teams in providing strategic direction and implementing protocols as outlined in the emergency communications plan.

LOCAL/COMMUNITY MEDIA OUTLETS

As appropriate, the office of Public Relations Marketing and Information Services staff may directly reach out to local news media, radio stations, and newspapers, via verified email addresses or phone call, to disseminate emergency information to members of the larger community including neighbors, parents, and other interested parties.

WEBSITE

The larger community may also access emergency information via the TAMIU or TAMUS-RELLIS website and/or social media channels (if available).

www.tamiau.edu

<https://rellis.tamus.edu/AcademicAlliance/>

31. EMERGENCY RESPONSE AND EVACUATION PROCEDURES – Testing

At least one portion of the emergency plan will be tested and exercised at least annually utilizing a discussion-based level exercise or higher and tests of the emergency notification system. The test/exercises shall be administered by the TAMIU Environmental Health and Safety office and for Laredo and for RELLIS the TAMUS Office of Environment, Safety & Security and emergency response. Entities and agencies that interface with RELLIS officials, during an actual emergency, will be invited to participate in the campus exercises where exercise objectives could require the involvement of the supporting entity or agency. Actual emergencies or false emergency alarms will not be used to meet the requirements for testing and exercising the RELLIS Emergency Operations Plan. The tests and appropriate follow-through activities are designed for assessment and evaluation of emergency plans and capabilities and are performed and documented. Tests may be announced or unannounced.

32. EMERGENCY RESPONSE AND EVACUATIONS PROCEDURES – Announcements

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

33. EMERGENCY RESPONSE AND EVACUATIONS PROCEDURES – Documentation

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.

34. MONITORING OF NON-CAMPUS LOCATIONS – Interfacing with local law

Monitoring Non-Campus Locations

TAMIU nor TAMUS-RELLIS Academic Alliance recognize any non-campus student organization facilities that fall outside of either core campus. Therefore, local law enforcement is not used to monitor and record criminal activity since there are no non-campus locations of student organizations.

When a student is involved in an offense in a non-campus location, PD may assist with the investigation in cooperation with local, state, or federal law enforcement agencies but does not actively record or monitor criminal activity. PD does not provide routine law enforcement service to non-campus facilities.

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. PD 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.

CAMPUS SECURITY AND 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).

GENERAL PROVISIONS

Access to campus buildings and facilities, on both the TAMIU and RELLIS campuses varies based on the time of year and events being held. Generally, the campus observes a daily open schedule of Sunday through Saturday, 7 a.m. to 10 p.m. During this time period, most buildings are open for general circulation by employees, contractors, students, and the general public. Outside of our general circulation hours, members of the communities may request access to buildings following the established access control policy. Authorized employees may be able to access buildings after hours with their employee ID. Students may be granted access by PD or RELLIS with prior instructor approval.

35. A statement of current policies concerning security of campus facilities, including campus residences.

36. A statement of current policies concerning access to campus facilities, including campus residences.

LAREDO CAMPUS

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

TAMUS-RELLIS ACADEMIC ALLIANCE CAMPUS

TAMUS-RELLIS is in the Brazos Valley of Texas eight miles from Texas A&M University in College Station. The Texas A&M University System owns and manages all physical facilities and daily operations of the RELLIS Academic Alliance Campus (RELLIS) where TAMIU offers an academic program. There are no general prohibitions to keep the public from entering campus; however, the A&M PD does reserve the right to bar individuals considered a threat to the University community.

The A&M PD is sworn to uphold and enforce all City, State and Federal laws. A&M PD regularly patrols all campus buildings and provides a security presence 24 hours per day via sworn and un-sworn personnel.

ACCESS TO RESIDENTIAL BUILDINGS AND AREAS

Working with our housing manager, Greystar Student Living, housing facilities utilize a multi-layer approach to access. By policy, access and use of the residential facilities is restricted to residents, their approved guests, and other authorized members of the University community. The University's current housing stock includes four residence halls (Residential Learning Community) and a garden-style apartment complex consisting of four, individual buildings (University Village). The Residential Learning Community facility utilizes card swipe technology for buildings and electronic keys for individual rooms. The University Village uses electronic keys to enter through the main door, and regular mechanical keys to enter individual rooms.

There is no student housing provided at RELLIS.

37. Security considerations used in the maintenance of campus facilities.

SECURITY OF CAMPUS

Police Officers and Campus Security Officers conduct routine patrols of campus grounds and buildings to evaluate and monitor security-related matters. Officers also respond to calls for service from the campus community and visitors.

SECURITY MAINTENANCE

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

CRIME PREVENTION

GENERAL RISK REDUCTION STRATEGIES (ALL SITUATIONS)

The Clery Act defines “risk reduction” as the “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.”

Bystander intervention is defined as the “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.”

REDUCING RISKS

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

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

- ❖ Be aware of your surroundings.
- ❖ Walk with purpose.
- ❖ Trust your instincts.
- ❖ Make sure your cell phone is with you.
- ❖ When you go to social gatherings, go with a group of friends.
- ❖ Don't leave your drink unattended.
- ❖ Don't accept drinks from people you don't know or trust.
- ❖ Watch out for your friends.
- ❖ Have your friends watch out for you.
- ❖ If you suspect you or a friend have been drugged, contact law enforcement immediately.
- ❖ Try to think of an escape route. If you need to get out of an uncomfortable or unpleasant situation here are some things you can try:
 - ✓ Remember that being in this situation is not your fault. You did not do anything wrong, it's the person who is making you uncomfortable that is to blame.
 - ✓ Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason.
 - ✓ Lie. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse.

BYSTANDER INTERVENTION AND RISK REDUCTION

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

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

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

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

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

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

38. CRIME PREVENTION – Security Awareness Programming

Texas A&M International University (TAMIU) offers many programs designed to inform students and employees about campus security procedures and practices. A common theme of all awareness and crime prevention programs is to encourage students and employees to be responsible for their own safety and for the safety of others on campus. Crime prevention programs on personal safety and security are sponsored by various campus organizations throughout the year. The programs include general crime prevention and security awareness programs, such as safety education forums, programs, and discussions about topics such as alcohol abuse, dating violence, self-defense, fire safety, emergency response and evacuation procedures, sexual assault prevention, and theft prevention.

PD, Student Engagement, Institutional Compliance (Title IX), Environmental Health and Safety, and Housing and Residence Life staff, participate in forums, town hall meetings, and programs campus wide to explain University security, public safety, and fire safety measures and procedures at TAMIU with all incoming students and their parents from June to August during summer orientation (Dusty Camp). Throughout the academic year, these departments conduct programs on information regarding alcohol education, fire safety, personal safety, and crime prevention for the TAMIU community. New employee orientation includes the distribution of crime prevention and fire safety materials to all new employees on a bi-weekly basis.

Members of our crime prevention group conducted over 90 crime prevention and general security and safety awareness presentations for students and employees of the University. During these presentations, information is provided on topics such as crime prevention tips, personal safety tips, recognizing unhealthy situations/behaviors, statistics on crime at TAMIU, fire safety, and campus security procedures and practices. UPD organizes and sets up crime prevention and education display tables at various locations throughout the year. This provides an opportunity for the staff to disseminate safety-related information, as well as to answer individual questions. All programs, unless group specific as indicated, are open to all members of the University community and are promoted via various communication methods, including but not limited to, the University website, social media, flyers, and Uconnect.

A&M PD's Community Services Unit, within the Special Operations Section, is staffed by officers who are state Certified Crime Prevention Specialists, that continually presents programs covering crime prevention and security information to students, staff, faculty, and 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, international student orientation, in addition to a number of other programs scheduled annually with student, staff and faculty organizations. In these sessions information is provided regarding campus security procedures and practices. The Campus Safety Awareness Series is another opportunity for the campus community to get to know UPD officers, ask questions about security procedures and practices, and/or voice concerns. For additional information or to schedule a program you are encouraged to call the Community Services Unit at 979-458-1674.

39. CRIME PREVENTION – Personal Security Awareness

40. CRIME PREVENTION – Personal Security Awareness Programs

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

- Personal Safety Awareness – scheduled upon request
- Theft/burglary Prevention – scheduled upon request
- 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
- Workplace Crime Prevention – scheduled upon request
- Easy Child ID Safety Program – scheduled upon request

ALCOHOL AND DRUG POLICIES

Alcohol and Other Drugs (AOD) Biennial Review Report:
[Microsoft Word - 2020-2021 DAAPP REPORT 1.4.2023.docx \(tamiu.edu\)](#)

The Texas A&M University System Resources:
[34.02 - Drug and Alcohol Abuse \(tamus.edu\)](#)
[34.02.01 - Drug and Alcohol Abuse and Rehabilitation Programs \(tamus.edu\)](#)
[34.03 - Alcoholic Beverages \(tamus.edu\)](#)

Member Resources
[34.02.01.11universityalcoholanddrugabusepreventionprogram.pdf \(tamiu.edu\)](#)

Additional AOD Information: <https://www.tamiu.edu/scce/aod.shtml>
TAMIU Employee Assistance Program Information:
<https://www.tamiu.edu/adminis/ohr/documents/eap---guidanceresources.pdf>

- 41. ALCOHOL AND DRUG POLICIES – Alcohol Policy and Enforcement
- 42. ALCOHOL AND DRUG POLICIES – Illegal Drug Policy and Enforcement

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

TAMIU/TAMUS-RELLIS is committed to promoting the health and safety of its campus community through a program of alcohol education and the implementation of relevant policies. The University enforces all local, State, and Federal laws regarding the possession, use, and sale of alcoholic beverages, including those prohibiting the consumption of alcoholic beverages by persons under the age of 21 on campus and at university-sponsored activities. TAMIU's policy regarding alcoholic beverage consumption, as well as the University's penalties for possession or distribution of controlled substances by students, faculty, or staff on university premises or at institutionally-sponsored activities off campus, are contained online (TAMIU Student Handbook; 34.02, Drug and Alcohol Abuse and Rehabilitation; TAMIU HR Drug and Alcohol Abuse). TAMIU prohibits the unlawful possession, use, and sale of alcoholic beverages on campus. PD is responsible for the enforcement of state underage drinking laws, with the assistance of the Office of Student Conduct and Community Engagement which conducts disciplinary proceedings for referrals involving alcohol violations.

TAMIU is in compliance with the federal Drug-Free Schools and Communities Act of 1989. Federal and Texas law prohibits the manufacture, sale, delivery, possession, or use of a controlled substance without legal authorization. A controlled substance includes any drug, substance, or immediate precursor covered under the Texas Controlled Substances Act, including but not limited to, opiates, barbiturates, amphetamines, marijuana, and hallucinogens. The possession of drug paraphernalia is also prohibited under Texas State law. Drug paraphernalia includes all equipment, products, and material of any kind that are used to facilitate, or intended or designed to facilitate, violations of the Texas Controlled Substances Act. Alleged violations of this law may result in criminal charges and will also be adjudicated through the appropriate University disciplinary process.

43. Drug Free Schools and Communities Act of 1989 – Alcohol and Other Drugs Report (AOD)

Alcohol and Other Drugs (AOD) Biennial Review Report:

[Microsoft Word - 2020-2021 DAAPP REPORT 1.4.2023.docx \(tamiu.edu\)](#)

CRIME STATISTICS

TAMIU and RELLIS report the crimes required by the Clery Act that occur on or within the University's Clery Geography that were reported to a CSA, law enforcement agency, and/or the PD.

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

Daily Crime Log:

TAMIU: https://www.tamtu.edu/adminis/police/Daily_Crime_Log.shtml

RELLIS: <https://rellis.tamus.edu/clery/>

If any member of the TAMIU community or public would like to view the crime or fire logs covering a period of time outside of this 60-day window, they may do so by making such a request at the campus PD office or RELLIS Administrative Office. Requests for this information will be processed within two business days.

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

A written request for statistical information is made annually to external law enforcement agencies that have jurisdiction for a covered University event and to Campus Security Authorities (CSA).

DAILY CRIME AND FIRE LOGS As required by the Clery Act, PD publishes logs detailing Clery reportable crimes and residential fires each business day. The daily crime and fire log is available to the media, the public, and the campus community free of charge. The daily crime log identifies the nature of the crime, case number, location, date and time of crime, date the crime was reported to UPD or A&M PD, and disposition. The fire log identifies the incident case number, location, nature of fire, the date and time of fire, and the date the fire was reported.

These logs are maintained to minimally cover a 60-day period and may be found on the UPD website by clicking the links on above. A printed copy may be viewed by visiting the PD or RELLIS Administrative Offices

44. CRIME STATISTICS – The Clery Act Reportable Crimes

PRIMARY CRIMES (UCR PART 1)

1. Criminal Homicide
 - a. Murder /& Non-Negligent Manslaughter
 - b. Manslaughter by Negligence
2. Sexual Assault (Sex Offenses)
 - a. Rape
 - b. Fondling
 - c. Incest
 - d. Statutory Rape
3. Robbery
4. Aggravated Assault
5. Burglary
6. Motor Vehicle Theft
7. Arson

VAWA CRIMES

1. Domestic Violence
2. Dating Violence
3. Stalking

HATE CRIMES

1. Larceny - Theft
2. Simple Assault
3. Intimidation
4. Destruct/Damage/Vandalism of Property

THE BIASES

- Disability
- Ethnicity
- Gender
- Gender Identity
- National Origin
- Race
- Religion
- Sexual Orientation

WEAPONS, DRUGS AND LIQUOR VIOLATIONS

1. Weapon Law Violations
2. Drug Abuse Violations
3. Liquor Law Violations

CRIME STATISTICS – The Clery Act Reportable Crimes – Definitions

The following definitions come from a variety of sources, including the Department of Education's Handbook for Campus Safety and Security Reporting, and definitions of domestic violence, dating violence, and stalking are adapted from the amendments made to the Violence Against Women Reauthorization Act of 2019.

PRIMARY CRIMES

1. CRIMINAL HOMICIDE

A. **MURDER AND NON-NEGLIGENT MANSLAUGHTER:** The willful (non-negligent) killing of one human being by another.

B. **MANSLAUGHTER BY NEGLIGENCE:** The killing of another person through gross negligence.

2. SEXUAL ASSAULT: An offense that meets the definition of rape, fondling, incest or statutory rape as used in the FBI's Uniform Crime Reporting system. A sex offense is any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

A. **RAPE:** The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity. This offense includes the rape of both males and females.

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

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

D. **STATUTORY RAPE:** Sexual intercourse with a person who is under the statutory age of consent.

3. 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 putting the victim in fear.

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

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

6. MOTOR VEHICLE THEFT: The theft or attempted theft of a motor vehicle. (All cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned - including joy riding are to be classified as motor vehicle thefts).

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

VAWA CRIMES

1. DOMESTIC VIOLENCE: A felony or misdemeanor crime of violence committed by:

- (1) a current or former spouse or intimate partner of the reporting party;
- (2) a person with whom the reporting party shares a child in common;
- (3) a person who is cohabitating with, or has cohabitated with, the reporting party as a spouse or intimate partner;
- (4) a person similarly situated to a spouse of the reporting party under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
- (5) any other person against an adult or youth survivor who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

2. DATING VIOLENCE: An act of violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. For this purpose, the existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes without limitation sexual or physical abuse or the threat of such abuse, but excludes acts covered under the definition of domestic violence.

3. STALKING: Engaging in a course of conduct directed at a specific person, including without limitation by means of following, monitoring, observing, surveilling, threatening, or communicating to or about a person or interfering with a person's property, that would cause a reasonable person to fear for the person's safety or the safety of others or suffer significant mental suffering or anguish that may, but does not necessarily require, medical or other professional treatment or counseling.

HATE CRIMES

TAMIU and the RELLIS Academic Alliance strives to foster a safe and healthy learning environment that embodies diversity and inclusion of all members of the combined TAMIU community. The hate crime statistics are separated by category of prejudice. The numbers for most of the specific crime categories are part of the overall statistics reported for each year. The only exceptions to this are the addition of larceny, theft, simple assault, intimidation, and any vandalism. If a hate crime occurs where there is an incident involving intimidation, vandalism, larceny, simple assault, or other bodily injury, the law requires that the statistic be reported as a hate crime even though there is no requirement to report the crime classification in any other area of the compliance document. Note: A hate-related crime is not a separate, distinct crime, but is the commission of a criminal offense, which was motivated by the offender's bias. For example, a subject assaults a victim, which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of his/her bias against the victim's race, sexual orientation, gender, religion, ethnicity, national origin, gender identity, or disability, the assault is then also classified as a hate crime.

ADDITIONAL HATE CRIME DEFINITIONS

In addition to any of the Part 1 crimes above, the following acts are now reportable as Hate Crimes, when motivated by prejudice on account of race, gender, religion, sexual orientation, gender identity, ethnicity, national origin, or disability.

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

- 2. 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.

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

- 4. DESTRUCTION/DAMAGE/VANDALISM OF PROPERTY (EXCEPT "ARSON"):** 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 the subject's property.

HATE CRIMES - THE BIASES

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

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

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

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

GENDER IDENTITY: A preformed negative opinion or attitude toward a person (or group of persons) because the person's internal sense of being male, female, or a combination of both may be different from the gender assigned at birth? (e.g., bias against transgender or gender nonconforming individuals).

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

RACE: A preformed negative attitude toward a group of persons who possess common physical characteristics. For example, someone's color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, (e.g. Whites, African Americans, Asians, etc.).

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

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

WEAPONS, DRUG AND LIQUOR VIOLATIONS

1. WEAPON LAW VIOLATIONS (WEAPONS: CARRYING, POSSESSING, ETC.):

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, concealment, use, or possession of deadly weapons; the carrying of deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; cutting instruments, explosives, incendiary devices or other deadly weapons; all attempts to commit any of the aforementioned.

2. DRUG ABUSE VIOLATIONS:

The violations of State and local 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 possession, sale, use, cultivation and manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

3. LIQUOR LAW VIOLATIONS:

The violation of state and local laws or ordinances prohibiting the manufacture, sale, transportation, possession or use of alcoholic beverages. (Drunkenness and driving under the influence are not included in this definition.)

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

FIREARMS AND WEAPONS POLICIES

For additional information, please visit the following link: **TAMIU Campus Carry Information**
<https://www.tamtu.edu/adminis/campuscarry/index.shtml>

TAMIU is committed to maintaining a safe and secure environment that supports the academic mission of the University. According to TAMIU Policy, members of the TAMIU community, including students, faculty, staff, as well as visitors to any TAMIU campus location, are prohibited from unlawfully possessing firearms, explosives, weapons, or any item that may be construed as such, on the premises of the University or in any building under University control.

This prohibition applies regardless of whether a federal or state license to possess the same has been issued to the possessor. There are some limited exceptions to this policy; for example, certified and licensed law enforcement personnel who are authorized to carry a firearm are permitted to do so while on TAMIU property.

In accordance with Texas Penal Code Ch. 46.03, a person commits an offense if the person intentionally, knowingly, or recklessly possesses or goes with a firearm, location-restricted knife, club, or prohibited weapon on the physical premises of a school or educational institution, to include any buildings or passenger transportation vehicles under the direct control of the educational institution unless pursuant to written regulations or written authorization of the institution; or the person possesses a license to carry a concealed handgun. (You may also refer to the TAMIU Student Handbook Article 6 Section 6.05 Prohibited Behavior? Weapons and Explosives).

Effective August 1, 2016, Senate Bill 11 required all State public colleges and universities to allow Concealed Campus Carry. Accordingly, Texas A&M University System policy now allows handgun license holders to carry a concealed handgun. State law provides universities with the ability to limit or establish rules regarding where handguns may and may not be present. Note that licensed peace officers are authorized by law to carry firearms at all times.

TAMIU rule 34.06.02.L1 Carrying Concealed Handguns on Campus outlines areas where carrying a concealed handgun on campus premises is prohibited. The University enforces State law and System policy; it is encouraged that you read and understand State law and University rules and regulations.

TAMUS-RELLIS Campus has its own specific policies and procedures that govern the campus and the students participating in the programs offered on the TAMUS-RELLIS Campus. TAMIU does not have any administrative control or oversight of these policies and procedures. As such, the information provided here is only applicable to students on the Laredo Campus and all TAMIU employees. For additional information regarding Firearms and Weapons Policies, on the TAMUS-RELLIS Campus, contact the TAMUS-RELLIS administrative office.

45. CRIME STATISTICS – Reporting Methods

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

REPORTED TO PD:

Crime statistics from all incidents that were reported to the UPD. If an incident was reported to PD, reports would be reviewed and analyzed to determine classification and Clery geography category.

REPORTED TO AN EXTERNAL LAW ENFORCEMENT AGENCY:

Crime statistics reported to external law enforcement agencies but NOT reported to the UPD. These crimes may have occurred in on-campus property, non-campus property or public property (Clery geography). It is important to note that external law enforcement agencies are not required to classify incidents using Clery definitions.

REPORTED TO NON-POLICE:

Crime statistics from incidents reported to officials at the institution who are defined by Federal law as Campus Security Authorities because they have significant responsibility for student and campus activities.

UNFOUNDED:

When reported to campus security authorities but omitted from the crime statistics because they were later determined through investigation by sworn or commissioned law enforcement personnel to have been false or baseless when made.

CAMPUS SECURITY AUTHORITY:

A designated Campus Security Authority (CSA) may include deans, directors, department heads, residence life and student success staff, and non-professional counselors (mentors and first-and-second year advisors). It is important to note that our Office of Student Counseling Services is not required to report crimes as they are exempt from doing so under the Clery Act. They must still comply with State and Federal mandates for the reporting of certain incidents.

DEFINITION OF CAMPUS SECURITY AUTHORITIES:

Campus Security Authorities (CSA) are members of the University community who have a responsibility for the safety and security of the campus or the development of the community of students and campus life. All UPD personnel are classified as CSA's. Additionally, a staff or faculty member is a CSA if they have significant responsibility for students and/or campus activities outside of the classroom. Examples of non-law enforcement CSA's on our campus include positions in student engagement, student housing, student organization advisors, and compliance. CSA contact information and the position listings of certain TAMIU CSA's may be found in the Resources Section (please note that the CSA list is not a comprehensive list of

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CSA's). Members of the University community may report crimes to any CSA, who in turn is duty-bound to report that information to the UPD.

RELLIS CSA's and all information provided to and received from CSA's, including initial selection, is the sole responsibility of the TAMUS-RELLIS Academic Alliance. TAMIU has no role in the selection, training, report solicitation of RELLIS CSA's. Questions regarding RELLIS CSA's may be directed to the RELLIS Academic Alliance, Associate Director at 979.319.3402 or A&M PD at 979.845.2345.

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CRIME STATISTICS

HATE CRIMES
TAMIU - LAREDO CAMPUS

2023 – No Hate Crimes
2022 – No Hate Crimes
2021 – No Hate Crimes

UNFOUNDED CRIMES
TAMIU – Laredo Campus

2023 - 0 Unfounded Crimes
2022 – 1 Unfounded Sexual Assault
2 Unfounded Stalking
2021 – 1 Unfounded Assault Report

LAREDO CAMPUS

Criminal Homicide	Year	On Campus	Non-Campus	Public Property	Total	Residential Facilities*
Murder/ Non-Negligent Manslaughter	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Manslaughter by Negligence	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0

Sexual Assault	Year	On Campus	Non-Campus	Public Property	Total	Residential Facilities*
Rape	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Fondling	2023	1	0	0	1	1
	2022	1	0	0	1	1
	2021	0	0	0	0	0
Incest	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Statutory Rape	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0

Robbery	Year	On Campus	Non-Campus	Public Property	Total	Residential Facilities*
	2023	1	0	0	1	1
	2022	0	0	0	0	0
	2021	0	0	0	0	0

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Aggravated Assault	Year	On Campus	Non-Campus	Public Property	Total	Residential Facilities*
	2023	1	0	0	1	1
	2022	2	0	0	2	1
	2021	1	0	0	1	0

Burglary	Year	On Campus	Non-Campus	Public Property	Total	Residential Facilities*
	2023	1	0	0	1	1
	2022	2	0	0	2	0
	2021	6	0	0	6	4

Motor Vehicle Theft	Year	On Campus	Non-Campus	Public Property	Total	Residential Facilities*
	2023	0	0	0	0	0
	2022	1	0	0	1	0
	2021	0	0	0	0	0

Arson	Year	On Campus	Non-Campus	Public Property	Total	Residential Facilities*
	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0

VAWA Offenses	Year	On Campus	Non-Campus	Public Property	Total	Residential Facilities*
Domestic Violence	2023	1	0	0	1	1
	2022	1	0	0	1	1
	2021	1	0	0	1	0
Dating Violence	2023	0	0	0	0	0
	2022	1	0	0	1	0
	2021	1	0	0	1	0
Stalking	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	1	0	0	1	0

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Arrest and Referrals for Disciplinary Action of Weapons/Drugs/Liquor Violation of Law	Year	On Campus	Non-Campus	Public Property	Total	Residential Facilities*
Weapons Law Arrests	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Weapons Law Referred	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Drug Law Arrests	2023	2	0	0	2	2
	2022	3	0	0	3	2
	2021	6	0	0	6	2
Drug Law Referred	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	1	0	0	1	1
Liquor Law Arrests	2023	0	0	0	0	0
	2022	18	0	0	18	18
	2021	14	0	0	14	14
Liquor Law Referred	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0

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CRIME STATISTICS

HATE CRIMES
TAMUS - RELLIS CAMPUS

UNFOUNDED CRIMES
TAMUS – RELLIS Campus

2023 – No Hate Crimes
2022 – No Hate Crimes
2021 – No Hate Crimes

2023 – No Unfounded Crimes
2022 – No Unfounded Crimes
2021 – No Unfounded Crimes

RELLIS CAMPUS*

Criminal Homicide	Year	On Campus	Non-Campus	Public Property	Total
Murder/ Non-Negligent Manslaughter	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Manslaughter by Negligence	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0

Sexual Assault	Year	On Campus	Non-Campus	Public Property	Total
Rape	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Fondling	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Incest	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Statutory Rape	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0

Robbery	Year	On Campus	Non-Campus	Public Property	Total
	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0

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Aggravated Assault	Year	On Campus	Non-Campus	Public Property	Total
	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0

Burglary	Year	On Campus	Non-Campus	Public Property	Total
	2023	0	0	0	0
	2022	1	0	0	1
	2021	0	0	0	0

Motor Vehicle Theft	Year	On Campus	Non-Campus	Public Property	Total
	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0

Arson	Year	On Campus	Non-Campus	Public Property	Total
	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0

VAWA Offenses	Year	On Campus	Non-Campus	Public Property	Total
Domestic Violence	2023	1	0	0	1
	2022	0	0	0	0
	2021	0	0	0	0
Dating Violence	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Stalking	2023	3	0	0	3
	2022	1	0	0	1
	2021	5	0	0	5

Arrest and Referrals for Disciplinary Action of Weapons/Drugs/Liquor Violation of Law	Year	On Campus	Non-Campus	Public Property	Total
Weapons Law Arrests	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Weapons Law Referred	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Drug Law Arrests	2023	1	0	0	1
	2022	0	0	0	0
	2021	0	0	0	0
Drug Law Referred	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Liquor Law Arrests	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Liquor Law Referred	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0

** The Crime Statistic data provided in this chart was supplied by the Texas A&M University Police Department to Texas A&M International University. In the format provided, Texas A&M International University is unable to determine the actual geographic location, as defined by the Clery Act for inclusion in the Crime Statistics. The RELLIS Crime Statistics are only reported in the TAMIU ASFSR as a matter of transparency into activity on the RELLIS campus.

RELLIS has its own specific policies and procedures that govern the campus and the students participating in the programs offered on the TAMUS-RELLIS Campus. Information presented here is provided by the RELLIS campus to TAMIU pursuant to a program agreement to provide Clery Act disclosures and information as part of the TAMIU Annual Security and Fire Safety Report.

TAMIU does not have any administrative control or oversight of RELLIS policies, procedures, or programming.

For additional information or questions regarding The Texas A&M University System – RELLIS Campus please contact TAMUS-RELLIS by

Phone: 979-317-3410,
 Email: education@RELLIS.TAMUS.EDU
 In Person: 3100 TX-47 Bryan, TX 77807

46. CONTENTS OF THE REPORT

This report is a comprehensive Security and Fire Safety Report

The official name of this report is:

**THE ANNUAL SECURITY AND FIRE SAFETY REPORT
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47. Fire Safety Systems:

ON-CAMPUS STUDENT HOUSING FACILITIES - FIRE SAFETY SYSTEMS

UNIVERSITY VILLAGE, 4907 UNIVERSITY BOULEVARD. LAREDO, TX 78041

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

RESIDENTIAL LEARNING COMMUNITY, 5281 UNIVERSITY BOULEVARD. LAREDO, TX 78041

All four standalone residential buildings have a full coverage central sprinkler system and a centrally monitored fire alarm system; the systems are integrated and provide coverage for all spaces in the buildings. All rental units are equipped with the following safety features: integrated smoke detectors, and GFI electrical outlets near sinks. There are fire safety doors, fire alarm pull stations, and fire extinguishers located on each floor. See table below.

FIRE SAFETY SYSTEMS

Facility	Fire Alarm Monitoring	Full Sprinkler System	Smoke Detection	Fire Extinguishers	Evacuation Plan and Placards	Number of Evacuation (Fire) Drills per year
University Village Coronado Building 4907 University Blvd.	X	X	X	X	X	1
University Village Cardenas Building 4907 University Blvd.	X	X	X	X	X	1
University Village Ojeda Building 4907 University Blvd.	X	X	X	X	X	1
University Village Hudson Building 4907 University Blvd.	X	X	X	X	X	1
Residential Learning Community Building 1 - Sanchez 5281 University Blvd.	X	X	X	X	X	1
Residential Learning Community Building 2 - Cabeza De Vaca 5281 University Blvd.	X	X	X	X	X	1
Residential Learning Community Building 3 - Champlain 5281 University Blvd.	X	X	X	X	X	1
Residential Learning Community Building 4 - Balboa 5281 University Blvd.	X	X	X	X	X	1

48. Fire Drills:

The Office of Housing and Residence Life in conjunction with the Office of Environmental Health and Safety conducted announced fire drills on September 6, 2023, in each residential building.

49. Policies and Rules for portable electrical appliances, smoking, and open flames:

FIRE EQUIPMENT:

Residents who tamper with fire equipment are subject to disciplinary action, possible prosecution, possible eviction and a possible fine. - Tampering with smoke detectors is strictly prohibited. - Tampering with fire alarms is strictly prohibited. - Tampering with fire hoses/extinguishers is strictly prohibited. - Tampering with sprinkler systems is strictly prohibited. Tampering with any of the above, which results in a response from the local fire department, is in violation of State and local ordinances.

FIRE SAFETY

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

A. SMOKE DETECTORS

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

B. FIRE EXTINGUISHERS

Fire extinguishers are inspected regularly and recertified by a fire safety company annually. Should it become necessary for the discharge of a fire extinguisher, residents must notify the housing office at 956.326.1300, once the danger has passed, so that safety and risk management personnel can inspect the unit for damages and replace the discharged fire extinguisher(s). Should Housing and Residence Life discover that either a fire extinguisher has been discharged or the resident had a fire and did not report the event to the housing office, each resident of the unit will be fined \$250.00 for endangering the safety of others.

C. LIGHTING SOURCES & OPEN FLAMES

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

D. TAMPERING/ALTERING/FALSE ALARMS

Fire warning devices and safety equipment are to inoperable through vandalism, being disconnected from their primary power source or any other form of tampering. Tampering with smoke detectors may result in a fine of \$500.

E. BARBECUE GRILLS

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

SMOKING PROHIBITED

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

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

PORTABLE ELECTRICAL APPLIANCES

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

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

OTHER ITEMS, BECAUSE THEY CONSTITUTE A FIRE HAZARD

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

50. Fire Evacuation procedures for student housing:

51. Fire Safety Education and training programs provided:

52. Fire Evacuation procedures for students and employees:

STUDENT HOUSING FIRE EVACUATION PROCEDURES

If a fire alarm is sounded, do the following:

STUDENTS

1. REMAIN CALM.
2. GET OUT OF THE BUILDING!
3. REPORT TO YOUR BUILDING'S GATHERING LOCATION:
 - A. Residential Learning Community
 - Sanchez Hall: Parking lot area across the street from the facility.
 - Cabeza de Vaca Hall: North end of Basketball Court (inside cage).
 - Champlain Hall: South end of Basketball Court (inside cage).
 - Balboa Hall: AIC Parking lot area SOUTH (side closest athletic fields).
 - B. University Village
ALL UV BUILDINGS evacuate to the parking lot directly east of University Village behind the University Police Department Building.

EMPLOYEES

1. REMAIN CALM.
2. Direct/Assist students to an appropriate exit and GET RESIDENTS OUT OF THE BUILDINGS
3. GET YOURSELF OUT OF THE BUILDING!
4. REPORT TO YOUR BUILDING'S GATHERING LOCATION:
 - A. Residential Learning Community
 - Sanchez Hall: Parking lot area across the street from the facility.
 - Cabeza de Vaca Hall: North end of Basketball Court (inside cage).
 - Champlain Hall: South end of Basketball Court (inside cage).
 - Balboa Hall: AIC Parking lot (side closest to the athletic fields).
 - C. University Village
ALL UV BUILDINGS evacuate to the parking lot directly east of University Village behind the University Police Department Building.

53. Reporting fires in student housing:

POST-FIRE REPORTING PROCEDURES:

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

- University Police Department- Police Dispatchers at 956.326.2100.
- Environmental Health and Safety at 956.326.2194.
- Office of Housing and Residence Life at 956.326.1300.

54. Plans for future improvements to fire safety systems:

The University continues to assess and upgrade fire safety equipment as an ongoing process to ensure that all equipment meets National Fire Safety standards. While at this time no improvement are scheduled, future improvements will be made as needed as part of the ongoing assessment process.

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55. Fire Statistics

Building Name and Address	Year	Total	Number of Fires	Cause of Fire(s)	Number of persons with fire-related injuries	Number of fire-related deaths	Value of property damage caused by each fire
University Village Coronado Building 4907 University Blvd. Laredo, TX 78041	2023	0	0	N/A	0	0	0
	2022	0	0	N/A	0	0	0
	2021	0	0	N/A	0	0	0
University Village Cardenas Building 4907 University Blvd. Laredo, TX 78041	2023	0	0	N/A	0	0	0
	2022	0	0	N/A	0	0	0
	2021	0	0	N/A	0	0	0
University Village Ojeda Building 4907 University Blvd. Laredo, TX 78041	2023	0	0	N/A	0	0	0
	2022	0	0	N/A	0	0	0
	2021	0	0	N/A	0	0	0
University Village Hudson Building 4907 University Blvd. Laredo, TX 78041	2023	0	0	N/A	0	0	0
	2022	0	0	N/A	0	0	0
	2021	0	0	N/A	0	0	0
Residential Learning Community Building 1 – Sanchez 5281 University Blvd, Laredo, TX 78041	2023	0	0	N/A	0	0	0
	2022	0	0	N/A	0	0	0
	2021	0	0	N/A	0	0	0
Residential Learning Community Building 2 – Cabeza De Vaca 5281 University Blvd, Laredo, TX 78041	2023	0	0	N/A	0	0	0
	2022	0	0	N/A	0	0	0
	2021	0	0	N/A	0	0	0
Residential Learning Community Building 3 - Champlain 5281 University Blvd, Laredo, TX 78041	2023	0	0	N/A	0	0	0
	2022	0	0	N/A	0	0	0
	2021	0	0	N/A	0	0	0
Residential Learning Community Building 4 - Balboa 5281 University Blvd, Laredo, TX 78041	2023	0	0	N/A	0	0	0
	2022	0	0	N/A	0	0	0
	2021	0	0	N/A	0	0	0

56. NOTIFICATION OF MISSING STUDENTS – Initial Reporting

TAMUS-RELLIS Campus does not provide on-campus student housing.

If a member of the University community has reason to believe that a student who resides in on-campus housing is missing, they should immediately notify PD at 956.326.2100. UPD will generate a missing person report and initiate an investigation.

57. NOTIFICATION OF MISSING STUDENTS – Not initially reported to law enforcement

If a missing resident student notification is reported to a non-law enforcement CSA, the CSA must immediately notify the University Police Department.

58. NOTIFICATION OF MISSING STUDENTS – Options to identify contact persons

Annually, as part of the check-in process resident students are provided the opportunity to select an Emergency Contact person and a Confidential Emergency Contact person for use in missing persons investigations.

59. NOTIFICATION OF MISSING STUDENTS – Confidential Emergency Contact person

The information provided by the student on the confidential contact person shall only be disclosed to law enforcement and other university officials only after law enforcement has determined the resident student is in fact missing. Otherwise, this information is only held by the Office of Housing and Residence Life.

60. NOTIFICATION OF MISSING STUDENTS – Minor and not emancipated, notification to custodial parent

If the missing student is under the age of 18 and is not an emancipated individual, TAMIU will notify the student's custodial parent or legal guardian as soon as practicable and no later than 24 hours after the student is determined to be missing.

61. NOTIFICATION OF MISSING STUDENTS – Minor and not emancipated, notification to custodial parent or legal guardian and Confidential Contact

If the missing student is under the age of 18 and is not an emancipated individual, TAMIU will notify the student's custodial parent or legal guardian AND the Confidential Contact listed by the student, as soon as practicable and no later than 24 hours after the student is determined to be missing.

62. NOTIFICATION OF MISSING STUDENT – Notification to local law enforcement

If campus law enforcement determines that a student is in-fact missing they shall notify the primary local law enforcement agency that the student is missing.

63. NOTIFICATION OF MISSING STUDENT – Contacting Emergency and Confidential Contact

64. NOTIFICATION OF MISSING STUDENT – Minor and not emancipated, notification to custodial parent or legal guardian and Confidential Contact

In addition to registering an emergency contact, students residing in on-campus housing have the option annually to identify, confidentially, an individual to be contacted by UPD in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, UPD will notify that individual as soon as practicable and no later than 24 hours after the student is determined to be missing. A student who wishes to identify a confidential contact person can do so through the TAMIU Housing check-in form.

65. NOTIFICATION OF MISSING STUDENT – Regardless of Age

All students who are determined to be missing by campus law enforcement are reported to the primary local law enforcement agency jurisdiction within 24 hours of determination.

66. NOTIFICATION TO VICTIMS OF CRIMES OF VIOLENCE (HEOA)

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.

67. Sex Offender Registry

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

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

The DPS Texas Public Sex Offender Registry website is found at:

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

RELLIS has its own specific policies and procedures that govern the campus and the students participating in the programs offered on the TAMUS-RELLIS Campus. Information presented here is provided by the RELLIS campus to TAMIU pursuant to a program agreement to provide Clery Act disclosures and information as part of the TAMIU Annual Security and Fire Safety Report.

TAMIU does not have any administrative control or oversight of RELLIS policies, procedures, or programming.

For additional information or questions regarding The Texas A&M University System – RELLIS Campus please contact TAMUS-RELLIS by

Phone: 979-317-3410,

Email: education@RELLIS.TAMUS.EDU

In Person: 3100 TX-47 Bryan, TX 77807

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 International University 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 campus⁴ and when notice of potential misconduct is received by university.

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.

⁴ Off campus conduct applies if the conduct occurs outside the context of a university employment or education program or activity but creates a hostile environment for students, employees or third parties while on university grounds or other property owned or controlled by university or in any university employment or education program or activity.

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

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

TAMIU Laredo Law Enforcement	Phone
University Police Department	956-326-2100
Laredo Police Department	956-795-2800
LISD Police Department	956-273-1446
Webb County Sheriff’s Department	956-523-4500

RELLIS Law Enforcement	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 TAMIU Title IX Coordinator (TIX) or RELLIS Assistant Provost and Title IX Coordinator (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.

ALL Texas A&M International University and Texas A&M University System 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 possible⁵. Employees are not required to report conduct prohibited by this policy if the employee experiences, observes, or becomes aware of the prohibited conduct outside the context of their employment.

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 a sexual harassment, sexual assault, dating violence, domestic violence, or stalking public awareness event sponsored by the university or by a student organization affiliated with the university; or (3) the person has either learned of the incident during the course of their employer’s review or process, or has confirmed with the designated office overseeing the review or process, that the incident has been previously reported.

⁵ Exceptions include confidential employees and are described in the “Confidentiality/Privacy” section of this report.

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.

Reports that a student, an employee, or a third party has engaged in conduct prohibited by this policy should be made to:

TAMIU Title IX Coordinator (TIX): 956-326-2857 | titleIX@tamiu.edu

RELLIS Title IX Coordinator's Office (TIX): 979-317-3404 | civilrights@rellis.tamus.edu

The Title IX Coordinator responsibilities include, but are not limited to,

1. Overseeing TAMIU and/or RELLIS 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 and/or;
Member Rule 08.01.01.xx and/or;
System Rule 08.01.01.S1 (RELLIS AA staff and students) and/or;
Student Code of Conduct for the campus of attendance.
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 the appropriate TIX to be addressed by the appropriate disciplinary authority, e.g., Supervisor, Student Conduct, Residence Life, etc., under rules or regulations other than this policy.

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The TIX's office is the department designated by the university and System 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 to your campus of attendance:
 - TAMIU: titleIX@tamiu.edu
 - RELIS: 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 International University and RELLIS have 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 complainant⁶ may request assistance from and/or will be assisted by TIX in notifying law enforcement authorities if the complainant so chooses. A report to law enforcement is separate from a report to the university. An individual wishing to simultaneously pursue a law enforcement investigation and a university resolution of conduct prohibited by this policy should make a report to both entities. Individuals are notified of their right to report the incident to campus police and local police immediately, but always have the right to decline to notify such authorities. Reporting to law enforcement does not preclude an individual from pursuing disciplinary remedies with the university.

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

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

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

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

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

⁶ The individual(s) who is alleged to have been subjected to discrimination.

THE APPROPRIATE CAMPUS TIX OFFICE provides a written notification of available resources, rights, and options to each individual reporting discrimination, harassment, or retaliation (whether the offense occurred on or off campus) regardless of whether the individual chooses to report the incident to local law enforcement or chooses to pursue informal or formal remedies through the university or criminal remedies through law enforcement. The written notification includes information regarding:

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

Individuals reporting to THE APPROPRIATE CAMPUS TIX OFFICE 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.

Doctor's Hospital of Laredo (956-523-2000) located at 10700 McPherson Road, Laredo, TX 78045 is Laredo's designated sexual assault crisis facility.

Baylor Scott & White Medical Center in College Station (979-207-0100, <https://www.bswhealth.com/specialties/forensic-medicine/>) is the RELLIS community's designated forensic nursing facility,

St. Joseph Health Regional Hospital in Bryan (979-776-3777) also conducts forensic exams.

These community facilities offer a program with trained Sexual Assault Nurse Examiners (SANE) and a forensic unit that provides detailed physical examinations, evidence collection, and expert testimony.

To receive services, go to the hospital's emergency room and request to be seen by a SANE. A forensic examination can also be performed for victims of domestic violence.

- Try to preserve all physical evidence. Do not wash, use the toilet, swim, brush teeth, or change clothing if you can avoid it. If you do change clothes, put all clothing you were wearing at the time of the attack in a paper, not plastic, bag.
- Preserve evidence by saving text messages, instant messages, social networking pages, communications, pictures, or other documents, if any, that would be useful to police or investigators.
- Personnel are available to help explain options, give information, and provide emotional support.

Personnel include:

- Title IX Coordinator
Laredo – 956-326-2857
RELLIS – 979-317-3404
- Student Counseling and Student Health Services
Laredo – 956-326-2235 (Student Health)
Laredo – 956-326-2230 (Student Counseling)
RELLIS - at Texas A&M Health Family Care 979-776-8440,
- TELUS Health Student Support App 1-866-408-2828,
- UPD Victim Advocacy Services
Laredo – 956-326-2100
RELLIS – 979-458-6875
- Work/Life Solutions Program by GuidanceResources 1-866-301-9623,
- Off campus Resources

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Laredo – Border Region MHMR 800-643-1102

Laredo – Mercy Ministries of Laredo 956-712-9590

RELLIS - 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 nonidentifying 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 information⁷. 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.

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 Work/Life Solutions Program by GuidanceResources (1-866-301-9623). At Texas A&M International University the following are considered confidential reporters: Mental health providers for students – counseling (956-326-2230), health care personnel for students – Student Health Services (956-326-2235); and mental health provider for employees and the employee's benefits-eligible dependents Work/Life Solutions Program by ComPsych GuidanceResources (1-866-301-9623).

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

Laredo: <https://www.tamtu.edu/counseling/index.shtml>

RELLIS: <https://rellis.tamus.edu/academicalliance/counseling-services/>

All other employees informed of possible discrimination, harassment, retaliation, and/or complicity should advise the reporting party that they cannot keep the information confidential and are required to

⁷ 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.

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 private⁸).

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

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

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

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

⁸ 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.

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 TIX 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 THE APPROPRIATE CAMPUS TIX OFFICE.

Law Enforcement

TAMIU Laredo Law Enforcement	Phone	Address
University Police Department	956-326-2100	5201 University Blvd. Laredo, TX 78041
https://www.tamiu.edu/adminis/police/index.shtml		
Laredo Police Department	956-795-2800	4712 Maher Avenue Laredo, TX 78041
https://www.cityoflaredo.com/departments/police-department		
LISD Police Department	956-273-1446	2400 San Bernardo Ave Laredo, TX 78040
https://www.laredoisd.org/page/police-department		
Webb County Sheriff's Department	956-523-4500	902 Victoria Street Laredo, TX 78040
https://webbcountytexas.gov/Sheriff/		

RELLIS Law Enforcement	Phone	Address
Texas A&M University Police Department	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.bryantexas.gov/police		
College Station Police Department	979-764-3600	800 Krenek Tap Rd College Station, TX
www.cstx.gov/police		
Blinn College Police Department	979-209-7600	2423 Blinn Blvd Bldg S – RM 106 Bryan, TX
https://www.blinn.edu/police-emergency-management/index.html		
Brazos County Sheriff's Department	979-361-4980	1700 Highway 21 West Bryan, TX
http://brazoscountysheriff.org		

Counseling and Mental Health

EMPLOYEES	Phone	Address
Work/Life Solutions by ComPsych-GuidanceResources (TAMUS Employees)	1-866-301-9623	301 Tarrow St., College Station, TX
https://www.tamus.edu/benefits/work-life-solutions-by-guidanceresources/		

TAMIU – Laredo	Phone	Address
Student Counseling	956-326-2230	5201 University Blvd. Laredo, TX 78041
https://www.tamiu.edu/counseling/index.shtml		
TELUS Health Student Support App - App that offers students 24/7 access to professional counseling	1-866-408-2828	n/a
https://www.tamiu.edu/counseling/index.shtml		

RELLIS – Brazos Valley	Phone	Address
Texas A&M Health Family Care (upper-level RELLIS students)	979-776-8440	2900 E. 29 th St. Bryan, TX 77802
https://health.tamu.edu/care/specialties/family-care/locations/family-care-bryan.html		
TELUS Health Student Support App - App that offers students 24/7 access to professional counseling	1-866-408-2828	n/a
https://rellis.tamus.edu/academicalliance/counseling-services/		

Medical and Health Services

TAMIU – Laredo	Phone	Address
Student Health Services	956-326-2235	5201 University Blvd. Laredo, TX 78041
https://www.tamiu.edu/counseling/index.shtml		
Doctor’s Hospital of Laredo	956-523-2000	10700 McPherson Rd Laredo, TX
https://www.doctorshosplaredo.com/		
Laredo Medical Center	956-796-5000	1700 Saunders Street Laredo, TX
https://www.laredomedical.com		

RELLIS – Brazos Valley	Phone	Address
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		
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.stlukeshealth.org/locations/chist-joseph-health-regional-hospital		

Support, Advocacy, Legal Assistance, and Other Resources

Name	Phone	Address	Website
Student Conduct Office (Laredo)	956-326-2265	2 nd Floor Student Center	https://www.tamui.edu/scce/index.shtml
Vice President for Student Engagement (Laredo)	956-326-2958	2 nd Floor Student Center	https://www.tamui.edu/vpse/index.shtml
Vice President for Enrollment Management (Laredo)	956-326-2273	2 nd Floor Student Success Center	https://www.tamui.edu/vpem/index.shtml
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/student-life/services/
National Sexual Assault Hotline	800-656-4619		online.rainn.org
Sexual Assault Resource Center	979-731-1000		sarcbv.org
National Domestic Violence Hotline	800-799-7233		thehotline.org
University Police Department (Laredo)	956-326-2100	University Police Department Building	https://www.tamui.edu/adminis/police/
University Police Department Victim Services (RELLIS)	979-458-6875	1111 Research Parkway College Station, TX	https://upd.tamu.edu/pages/victimservicesadvocate.aspx
Bryan Police Department Victim's Assistance (RELLIS)	979-209-5312	302 South Texas Ave Bryan, TX	
College Station Police Department Victim Services (RELLIS)	979-764-2642	2611 Texas Ave. S. College Station, TX	https://www.cstx.gov/departments_city_hall/police/organization_divisions/operational_support/victim_services
Brazos Valley Family Violence Unit (RELLIS)	979-775-7400	300 E. 26 th St., Suite 105 Bryan, TX	https://brazoscountytx.gov/112/Family-Violence
Twin City Mission Domestic Violence Services (RELLIS)	979-775-5355	2505 S. College Ave. Bryan, TX	https://www.twincitymission.org/domestic-violence-services

Visa and Immigration Assistance

Name	Phone	Address	Website
International Experiences	956-326-2282	2 nd Floor Student Success Center	https://www.tamui.edu/international/
U.S. Citizenship and Immigration Services, Texas – San Antonio Field Office	800-375-5283	20760 North US Highway 281, Suite A San Antonio, TX	https://www.uscis.gov/about-us/find-a-uscis-office/field-offices

Student Financial Aid

Name	Phone	Address	Website
Office of Financial Aid	956-326-2225	2 nd Floor Student Success Center	https://www.tamui.edu/fa.shtml
Federal Student Aid Information Center	800-433-3243	n/a	https://studentaid.gov/help-center/contact

Institutional Rights and Options (Supportive Measures)

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

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

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

THE APPROPRIATE CAMPUS TIX OFFICE 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, THE APPROPRIATE CAMPUS TIX OFFICE 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 THE APPROPRIATE CAMPUS TIX OFFICE. THE APPROPRIATE CAMPUS TIX OFFICE may issue a mutual no contact restriction at any time prior to or during a conduct investigation based on information provided by the requestor. If good cause for a mutual no contact restriction is determined, both parties are notified of the restrictions in writing. Mutual no contact restriction records are maintained in THE APPROPRIATE CAMPUS TIX OFFICE'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.

TIX will also consider an interim removal/restriction 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/restriction for student respondents and an interim administrative action for employee respondents, such as a leave of absence, are described below.

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

TIX may remove or restrict a student from an education program or activity on an emergency basis only after an individualized safety and risk analysis has determined that the student is an immediate threat to the physical health or safety of any other student or individual arising from the allegations. TIX must provide the removed/restricted student with notice and opportunity to challenge the decision immediately following the removal/restriction. Upon being removed/restricted, the removed/restricted student must be granted the opportunity for a hearing within 5 business days to review whether or not the removal is warranted. The outcome of this hearing is not subject to appeal and is not a disciplinary action.

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

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

Interim Administrative Actions for Employees: In accordance with university rules and SAPs, TAMIU and/or TAMUS-RELLIS 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. TAMIU and TAMUS-RELLIS, as appropriate, 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. TIX and TAMIU and TAMUS-RELLIS, as appropriate 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. TIX and TAMIU/TAMUS-RELLIS uses discretion and only discloses 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, Human Resources, academic departments (direct supervisor, Dean, or Associate Dean), or non-academic departments (direct supervisor, Vice President, or designee). Prior to disclosure, TIX TAMIU/TAMUS-RELLIS will receive consent to disclose the identity of the alleged victim, inform the individual of the information that will be shared, with whom it will be shared, and why.

Legal Rights and Options

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

Protective Orders: Individuals may apply for protective orders through the Texas criminal justice system. A protective order is an interim protective measure that requires the recipient to stay away from the protected individual's home, workplace, and/or children's schools (if the children are protected persons in the order) depending on the documented circumstances. It can require the recipient to stop communicating with the protected individual in a harassing or threatening manner, attend counseling, pay child support, and/or pay spousal support. An application for a protective order may be filed by an individual, a prosecuting attorney, or the Texas Department of Family and Protective Services (1-800-252-5400) on behalf of an individual. The application is obtained through either the Webb or Brazos county attorney, the district attorney for Webb-Zapata Counties or Brazos County, or a private attorney. UPD Laredo (956-326-2100) or A&M 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 webpage: <https://guides.sll.texas.gov/legal-forms/protective-orders>.

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

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 carry 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 956-326-2100 (TAMU-Laredo) or 979-845-2345 (RELLIS) and request to speak with an officer. The UPD officer issues the criminal trespass warning if the respondent is determined to pose a risk to campus safety based on information provided by the requestor as it relates to applicable state law and/or UPD policy. When the warning is issued, the officer is responsible for providing notice to the requestor and the person receiving the warning.

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UPD officers are notified of criminal trespass warnings that exist in their area. If a criminal trespass warning is violated, UPD for the campus you attend should be contacted immediately at 956-326-2100 (TAMIU-Laredo) or 979-845-2345 (RELLIS) . 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: Please contact your appropriate campus UPD, TAMIU-Laredo students 956-326-2100 and RELLIS students the A&M UPD's Community Services Unit at 979-458-1674. Officers are 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 Proceedings⁹ for Sexual Assault, Dating Violence, Domestic Violence, Stalking, and Related Retaliation

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

- Both the complainant(s) and the respondent(s) must receive equitable treatment in all facets of the investigation and resolution process including, but not limited to, the right to an advisor (if any), the right to present evidence and witnesses, and the right to be informed of the outcome of the investigation.
- Timely and equal access to any information (inculpatory and exculpatory) discovered during the investigation as well as any information that will be used during informal and formal disciplinary meetings and hearings will be provided to the complainant, respondent, and appropriate officials.
- During the investigation the complainant and respondent have timely notice of meetings at which the complainant or respondent, or both, may be present.
- Determinations use the preponderance of the evidence standard, i.e., what is more likely than not to be true, based on the totality of the available evidence.
- The university's disclosure of information related to an investigation, the DA's decision and/or the sanctions rendered are governed by the provisions of the Family Educational Rights and Privacy Act (FERPA), the Texas Public Information Act (TPIA), the Texas Education Code Section 51.971, and other applicable confidentiality laws.

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

If an employee reasonably believes that an incident constitutes sexual harassment, sexual assault, dating violence, domestic violence, or stalking and that the incident is alleged to have been committed by or against a person who was a student enrolled at or an employee of the institution at the time of the incident, the employee must promptly report the incident to THE APPROPRIATE CAMPUS TIX OFFICE. Students and third parties (including, but not limited to, anyone receiving services from the university, vendors, and private business associates) are strongly encouraged to report the incident(s) promptly to THE APPROPRIATE CAMPUS TIX OFFICE. An employee is not required to report an incident in which that employee was a victim of the sexual harassment, sexual assault, dating violence, domestic violence, or

⁹ 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.

stalking. Once an individual discloses information to THE APPROPRIATE CAMPUS TIX OFFICE, a complaint will be considered to be made with the university, and the institution's process is initiated regardless of whether the complainant chooses to pursue criminal charges.

Complaints are initially reviewed by THE APPROPRIATE CAMPUS TIX OFFICE, 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 THE APPROPRIATE CAMPUS TIX OFFICE will:

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

No Resolution

If the complainant requests that no resolution of the allegations occur, the university will seek to honor the request whenever possible without impeding the university's ability to enhance the safety and security of the complainant and the university community. The university may initiate an investigation based on the seriousness of the allegation, whether or not there are multiple allegations, and/or whether or not a respondent poses a risk of harm to others. THE APPROPRIATE CAMPUS TIX OFFICE 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 THE APPROPRIATE CAMPUS TIX OFFICE will take appropriate actions, including but not limited to, (1) offering support services or academic adjustments and (2) initiating a formal investigation or informal resolution.

Informal Resolution

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

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

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

Formal Resolution

The allegations will be considered for investigation pursuant to the following procedures. THE APPROPRIATE CAMPUS TIX OFFICE 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, THE APPROPRIATE CAMPUS TIX OFFICE 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;

Member Rule 08.01.01.xx and/or;

System Rule 08.01.01.S1 (RELLIS AA staff and students)

or, that an investigation will not occur due to the complainant's request for no resolution, THE APPROPRIATE CAMPUS TIX OFFICE (for staff and students) and TAMIU (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).

THE APPROPRIATE CAMPUS TIX OFFICE 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, TIX will appoint the Investigative Authority (IA) within 5 business days to initiate the process of determining whether a violation of System Regulation 08.01.01 or other university rule, SAP, code, or policy occurred.

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);¹⁰

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

If the respondent is an employee, Title IX Coordinator (or designee) shall notify, in writing, the respondent's supervisor that THE APPROPRIATE CAMPUS TIX OFFICE is investigating an allegation that the respondent has engaged in conduct that may be a violation of:

System Regulation 08.01.01 and/or;

Member Rule 08.01.01.L1 and/or;

System Rule 08.01.01.S1 (RELLIS AA staff and students)

other university rules, SAPs, codes, or policies.

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

The IA will review the complaint, conduct a prompt, fair, thorough, and impartial investigation. Abuse of the investigation and resolution process is prohibited and subject to disciplinary action up to and including dismissal or separation from the university. Examples of abuse of process include, but are not limited to:

- Failure to appear at a meeting, interview, hearing, or conference as set forth in a notice issued by TIX;
- 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;

¹⁰ 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.

- Attempting to influence the impartiality of the IA, AA, or DA prior to, and/or during the course of the investigation and resolution process;
- Verbal or physical intimidation, and/or retaliation of any party to the investigation and resolution process prior to, during, and/or afterwards;
- Failure to abide by the terms of university administered sanctions;
- Influencing or attempting to influence another person to commit an abuse of the investigation and resolution process; and/or
- Failure to cooperate fully with the IA (applies to employees only).

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

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

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

Investigations provide both the complainant and respondent the same opportunities to have others present during any institutional proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor¹¹ of their choice. The advisor may be present at any time in which the party participates in the investigation and resolution process, including the filing of the complaint, the interview with the IA, and all other meetings or proceedings related to the investigation and resolution of the complaint. A party may select any person to be an advisor, including legal counsel.

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

Restrictions regarding the extent to which the advisor will participate in the proceedings may be established and applied equally to both parties. In all instances, the advisor's participation will be limited to the role of an observer, except that the advisor will (1) conduct the cross examination during a hearing on allegations of sexual harassment and sex-based misconduct and (2) provide support and guidance to

¹¹ 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).

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, THE APPROPRIATE CAMPUS TIX OFFICE may inform the law enforcement agency that a university investigation is also in progress; ascertain the status of the criminal investigation; and determine the extent to which any evidence collected by law enforcement may be available to the university in its investigation.

At the request of law enforcement, the university may temporarily defer part or all of the investigation until after the initial evidence-gathering phase of the law enforcement investigation is complete. The IA will communicate with the parties (as appropriate) about the law enforcement agency's request to the extent allowed by law; the university's obligations and supportive measures; procedural options; anticipated timing; and the implementation of any necessary interim measures for the safety and well-being of all affected individuals.

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

Within 30 business days, the IA will prepare an initial draft investigation report at the conclusion of the investigation and provide it to OGC for review. The initial draft investigation report includes the following but does not contain speculation, opinions, findings, decisions, or recommendations for sanctions¹²:

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

The IA has the sole discretion to determine the relevance of evidence and whether it should be included in or excluded from the investigation report. OGC will coordinate with SECO and provide its review of the initial draft investigation report to the IA within 10 business days.

¹² 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.

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

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

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

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

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

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

**THE ANNUAL SECURITY AND FIRE SAFETY REPORT
TEXAS A&M INTERNATIONAL UNIVERSITY 2024**

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;

Member Rule 08.01.01.L1 and/or;

System Rule 08.01.01.S1 (RELLIS AA staff and students)

If violation(s) are found, the DA may issue sanctions.

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

TIX will appoint a university official and/or a hearing officer to be the DA. The university official and/or hearing officer will render decisions in cases with allegations against employees, third parties, and students¹³.

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

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

The DA will conduct a live hearing¹⁴ to allow the parties to question witnesses, submit evidence or information, and to allow the DA and the parties' advisors to cross-examine other parties or witnesses. The complainant and the respondent at a hearing must have an advisor with them. In cases in which a party does not have an advisor, the university will provide a trained advisor to assist them in the hearing process.

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

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

¹³ Exceptions: The chancellor or designee will serve as the DA in complaints against the Texas A&M President or an employee who reports directly to the Texas A&M President; a Chief Operating Officer or an employee who reports directly to the Chief Operating Officer. The chair of the Board of Regents or designee will serve as the DA in complaints against the chancellor or an employee who reports directly to the chancellor.

¹⁴ Hearings will be closed to the public. The university will create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the parties for inspection and review. Physical access to the recording or transcript must be provided upon request for the purpose of preparing an appeal following the hearing. Attendance at a hearing may be in person or may be conducted through remote means, provided that all parties and the DA can see and hear one another in real time during the course of the hearing.

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

Following the hearing, the DA will develop a draft result¹⁵ (hereafter called decision), based on the preponderance of the evidence, as to a) whether or not the alleged conduct occurred; and b) whether each allegation is substantiated, unsubstantiated, or there is insufficient information to substantiate that the respondent

System Regulation 08.01.01 and/or;

Member Rule 08.01.01.L1 and/or;

System Rule 08.01.01.S1 (RELLIS AA staff and students)

If applicable, the DA will also include a decision as to whether the respondent violated any other university regulation, code, policy, SAP, or rule. If the DA determines that any regulations, policies, rules, SAPs, or codes have been violated, the DA will consider any information about impact, mitigation, aggravation, and the respondent's character include a decision about sanctions. The DA will submit the draft to SECO within 2 business days. SECO will have a maximum of 3 business days to provide feedback to the DA.

Thereafter, the DA will have a maximum of 3 additional business days to issue a decision letter. The decision letter must be sent simultaneously to notify the parties, in writing, of the decision on responsibility and sanctions except when to do so would violate state or federal law [e.g. Family Education Rights and Privacy Act (FERPA)]. The decision must include any sanctions imposed by the institution. Notwithstanding section 444 of the General Education Provision Act (20 U.S.C. 1232g), commonly referred to as FERPA, the decision letter must include the rationale for the decision and the sanctions¹⁶. The decision will include information about appealing the decision and/or sanctions.

Decision letters must include (1) identification of the allegations; (2) a description of the procedural steps taken from the receipt of a formal complaint through determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held, if any; (3) a finding for each allegation as to whether the conduct occurred and findings of fact supporting the determination; (4) conclusion regarding the application of the university's conduct standards to the facts; (5) a statement of, and rationale for, the result as to each allegation including a determination regarding responsibility (substantiated, unsubstantiated, or there is insufficient information to substantiate that the respondent violated:

¹⁵ Result is defined as any initial, interim and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanction imposed by the institution.

¹⁶ The decision of the DA will include how the university weighted the evidence and information presented during the hearing, how the evidence and information support the decision and sanctions, and how the standard of evidence was applied.

System Regulation 08.01.01 and/or;

Member Rule 08.01.01.L1 and/or;

System Rule 08.01.01.S1 (RELLIS AA staff and students)

any disciplinary sanctions the university imposes on the respondent, and whether remedies designed to restore or preserve equal access to the university's education program or activity will be provided by the university to the complainant, and; (6) the university's procedures and permissible bases for the complainant and respondent to appeal the decision and/or sanctions. If it was alleged that any other system regulations or university rules, SAPs, codes, or polices were violated, there will be a statement of responsibility as to these allegations as well. The decision on responsibility made by the DA does not constitute an employment action with respect to faculty and non-faculty employees. Any sanction against an employee, imposed as a result of a substantiated finding, will constitute an employment action.

If for any reason there is reasonable cause for the university to delay the issuance of the 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 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 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;
Member Rule 08.01.01.L1;
System Rule 08.01.01.S1 (RELLIS AA staff and students).

If it was alleged that any other system regulations or university rules, SAPs, codes, or policies were violated, there will be a statement of responsibility as to these allegations as well.

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

The DA will have 5 business days to finalize the decision and simultaneously notify the parties, the IA, and any other university official with a need to know, in writing, of the decision and sanctions. In cases in which the allegations are substantiated, the final decision will also be provided to an employee respondent's supervisor. The decision must include any sanctions imposed by the institution. Notwithstanding section 444 of the General Education Provision Act (20 U.S.C. 1232g), commonly referred to as FERPA, in the decision, the DA will state the rationale for the decision and the sanctions, if any. The final decision will include instructions for appealing the decision and/or sanctions.

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

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

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

Sanctioning for Employees: If an employee is found to have engaged in sexual harassment or sex-based misconduct, the sanction will be termination of employment. If an employee is found to have engaged in conduct prohibited by:

System Regulation 08.01.01 and/or;

Member Rule: 08.01.01.L1 (TAMIU Main Campus Students and all TAMIU employees)

System Rule: 08.01.01.S1 (for RELLIS students and employees)

(other than sexual harassment and/or sex-based misconduct), the DA may assign appropriate sanction(s) which may have educational, restorative, punitive, and rehabilitative components. Sanctions include written warning or reprimand, required training and/or attendance at counseling, no contact directives, probation, suspension, and termination.

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

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

Sanctions for students may include but are not limited to:

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

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

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

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

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

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

An appeal of the Title IX Coordinator’s 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.

TAMIU-Laredo

If the allegations are against a:	Student	Non-Faculty Employee and Third Party	Faculty Employee
Then the AA is:	Assigned by TIX Office	Assigned by TIX Office	Assigned by TIX Office

RELLIS

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	Assigned by TIX Office

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

Appeals must be submitted in writing and must include a statement outlining the basis for the appeal¹⁷ and any evidence which supports the appeal. Appeals must be filed at the location and within the timeframe dated in the DA’s written notice of the decision (within 5 business days of notification of the decision). Decisions made by the DA shall not be final until an appeal deadline is passed, or when the appeal process is exhausted, or when all parties choose not to appeal.

¹⁷ Results (decision and/or sanctions) or dismissal of a complaint can be appealed on any of all of the following bases, as applicable: (a) A procedural irregularity that affected the outcome; (b) New evidence, not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter. The new evidence must be provided at the time of the appeal through the designated mechanism for filing an appeal; (c) The Title IX Coordinator, investigator(s) or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter; or (d) The appropriateness or severity of the sanctions. If an employee was found to have sexually harassed another member of the university or agency community, the appropriateness or severity of the sanction cannot be appealed.

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

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

If a timely and valid appeal is filed by either party, the other party will be notified as soon as practical thereafter by the AA. The parties will be given 3 business days to review the appeal and submit a written response a) that provides support for or challenges the decision by the DA, and b) that responds to the appeal bases submitted by the appealing party. Any written response must be submitted to the AA.

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

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

- Affirm the DA's decision on responsibility and, if applicable, the sanctions. There are no relevant issues of concern related to the ground(s) of the appeal, and, therefore, the decision is affirmed and final.
- Remand the complaint back to the DA because new evidence, not reasonably available at the time the determination regarding responsibility or dismissal was made, appears to be relevant and could have significantly affected the outcome of the decision on responsibility, dismissal of the complaint, or the sanctions. The DA will reconvene the hearing for the limited purpose of considering the new evidence. The DA will issue a new decision which may be appealed by the parties in accordance with the previously described appeal procedures.
- Remand the complaint back to the DA with an instruction to correct the procedural error or omission. If the procedural error occurred in the investigation phase, the DA will instruct the IA to correct the procedural error or omission and amend the Investigative Report, as appropriate. The IA will then submit the amended investigative report to the parties for review and response and then to the DA for a new decision in accordance with formal resolution procedures. If the procedural error occurred in the resolution phase, the DA will correct the procedural error or omission and then issue a new decision in accordance with the formal resolution procedures. The new decision of the DA may be appealed by the parties in accordance previously described appeal procedures.
- Remand the complaint to 1) 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, 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, TIX will appoint a new DA to re-hear the case with the existing investigation. If the bias was present in the TIX, SECO will appoint a new staff member to address the influence of the TIX on the case.

- Modify the decision on sanctions because the sanctions given were inappropriate or disproportionate to the severity of the conduct after considering all the circumstances¹⁸. The AA will impose new sanctions, which are final.

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

To the extent reasonably possible:

- For student respondents: The AA will provide the written decision simultaneously to the parties and TIX within 10 business days following the 3 business day review deadline. AAs are exempt from obtaining OGC review of decisions for student respondents prior to issuance but may request assistance from OGC and SECO when needed.
- For employee or third-party respondents: The AA will provide a draft decision to OGC for review within 5 business days following the 3 business day review deadline. System Office officials will provide its review of the draft decision to the AA within 5 business days. To the extent possible, the AA will provide a final written decision simultaneously to the parties and TIX within 5 business days of receipt of the review from the System Office. If the complaint on appeal is substantiated, the respondent's supervisor will also be informed.

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

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

¹⁸ If an employee was found to have sexually harassed another member of the university or agency community, the AA may not render a decision which modifies the sanctions.

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 TIX for review and approval by the TIX or designee. TIX will simultaneously notify the complainant and respondent in writing of any extensions and the reason for the extensions.

Dismissals under Title IX

Cases involving allegations of sexual harassment, sexual assault, and dating violence, domestic violence, and/or stalking based on sex are subject to mandatory or discretionary dismissal from the Title IX process¹⁹ under federal law. However, at the discretion of the 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.

Discretionary dismissals

The university may dismiss a formal complaint for the purposes of sexual harassment under Title IX if the complainant notifies the 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.

¹⁹ Complaints will be processed under Title IX if all of the following apply: (1) The university has actual knowledge of a notice of sexual harassment or a complaint involving allegations of sexual harassment, sexual assault, and/or dating violence, domestic violence, and stalking based on sex to the Title IX Coordinator or any university official who has authority to institute corrective measures and redress harassment on behalf of the university. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge; (2) A formal complaint is filed by the complainant or signed by the Title IX Coordinator; (3) The alleged behavior/conduct must have occurred against a person while in the United States; (4) At the time the formal complaint was filed, the complainant was participating or attempting 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.

Primary Prevention and Awareness Programs²⁰

The university and RELLIS engages in primary prevention programs that 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 International University and RELLIS provide culturally relevant, inclusive primary prevention and awareness education to incoming students and new employees to clearly define sexual assault, dating violence, domestic violence, stalking, and consent in reference to sexual activity (as defined by the institution, the purposes for which the institutional definition is used, and as defined in the applicable jurisdiction). 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 (existing counseling, health, mental health, advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services); rights and options for obtaining lawful orders; options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or supportive measures; how the institution will protect the confidentiality of victims and other necessary parties; and protection from retaliation.

Primary prevention programs include the following:

- The university includes and provides resources for all new student (new and transfer) orientations on prevention and awareness relating to sexual assault, dating violence, domestic violence, and stalking. Programs explain the University's policy prohibiting these types of conduct, provide definitions of prohibited conduct and consent in reference to sexual activity, and offer information about safe and positive options for bystander intervention, criminal reporting options and campus disciplinary actions, as well as resources to obtain order of protection and no contact orders.
- New employees receive primary prevention information through a web-based *Creating a Discrimination Free Workplace* training mandated by The Texas A&M University System. All employees are required to complete the training every two years thereafter.

²⁰ For the purposes of this section awareness programs means community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration. Programs to prevent dating violence, domestic violence, sexual assault, and stalking means comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, assessed for value, effectiveness, or outcome; and consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

Ongoing Prevention and Awareness Campaigns

The university engages in ongoing prevention and awareness campaigns that 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.

Bystander Intervention and Risk Reduction²¹

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

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

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

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

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

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

²¹ For the purposes of this section bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

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 (laws) and related system policy. This regulation establishes systemwide standards for the receipt and processing of reports, complaints, formal complaints, investigations, adjudication, appeals, and use of informal resolution in cases involving allegations of discrimination, harassment and/or related retaliation based on protected class (discrimination), including complaints made by employees, students, and/or third parties.

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

Texas Penal Code

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

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

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

- (a) A person commits an offense if:
- (1) the person intentionally or knowingly:
 - (A) causes the penetration of the anus or sexual organ of another person by any means, without that person's consent;
 - (B) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or
 - (C) causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or
 - (2) regardless of whether the person knows the age of the child at the time of the offense, the person intentionally or knowingly:
 - (A) causes the penetration of the anus or sexual organ of a child by any means;
 - (B) causes the penetration of the mouth of a child by the sexual organ of the actor;
 - (C) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor;
 - (D) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or
 - (E) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor.
- (b) A sexual assault under Subsection (a)(1) is without the consent of the other person if:
- (1) the actor compels the other person to submit or participate by the use of physical force, violence, or coercion;
 - (2) the actor compels the other person to submit or participate by threatening to use force or violence against the other person or to cause harm to the other person, and the other person believes that the actor has the present ability to execute the threat;
 - (3) the other person has not consented and the actor knows the other person is unconscious or physically unable to resist;
 - (4) the actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it;
 - (5) the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring;
 - (6) the actor has intentionally impaired the other person's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge;
 - (7) the actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat;
 - (8) the actor is a public servant who coerces the other person to submit or participate;
 - (9) the actor is a mental health services provider or a health care services provider who causes the other person, who is a patient or former patient of the actor, to submit or participate by exploiting the other person's emotional dependency on the actor;
 - (10) the actor is a clergyman who causes the other person to submit or participate by exploiting the other person's emotional dependency on the clergyman in the clergyman's professional character as spiritual adviser;
 - (11) the actor is an employee of a facility where the other person is a resident, unless the employee and resident are formally or informally married to each other under Chapter 2, Family Code; or

- (12) the actor is a health care services provider who, in the course of performing an assisted reproduction procedure on the other person, uses human reproductive material from a donor knowing that the other person has not expressly consented to the use of material from that donor;
- (13) the actor is a coach or tutor who causes the other person to submit or participate by using the actor's power or influence to exploit the other person's dependency on the actor; or
- (14) the actor is a caregiver hired to assist the other person with activities of daily life and causes the other person to submit or participate by exploiting the other person's dependency on the actor.

(c) In this section:

- (1) "Child" means a person younger than 17 years of age.
- (2) "Spouse" means a person who is legally married to another.
- (3) "Health care services provider" means:
 - (A) a physician licensed under Subtitle B, Title 3, Occupations Code;
 - (B) a chiropractor licensed under Chapter 201, Occupations Code;
 - (C) a physical therapist licensed under Chapter 453, Occupations Code;
 - (D) a physician assistant licensed under Chapter 204, Occupations Code; or
 - (E) a registered nurse, a vocational nurse, or an advanced practice nurse licensed under Chapter 301, Occupations Code.
- (4) "Mental health services provider" means an individual, licensed or unlicensed, who performs or purports to perform mental health services, including a:
 - (A) licensed social worker as defined by Section 505.002, Occupations Code;
 - (B) chemical dependency counselor as defined by Section 504.001, Occupations Code;
 - (C) licensed professional counselor as defined by Section 503.002, Occupations Code;
 - (D) licensed marriage and family therapist as defined by Section 502.002, Occupations Code;
 - (E) member of the clergy;
 - (F) psychologist offering psychological services as defined by Section 501.003, Occupations Code; or
 - (G) special officer for mental health assignment certified under Section 1701.404, Occupations Code.
- (5) "Employee of a facility" means a person who is an employee of a facility defined by Section 250.001, Health and Safety Code, or any other person who provides services for a facility for compensation, including a contract laborer.
- (6) "Assisted reproduction" and "donor" have the meanings assigned by Section 160.102, Family Code.
- (7) "Human reproductive material" means:
 - (A) a human spermatozoon or ovum; or
 - (B) a human organism at any stage of development from fertilized ovum to embryo.

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

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

- (1) that the actor was the spouse of the child at the time of the offense; or
- (2) that:
 - (A) the actor was not more than three years older than the victim and at the time of the offense:

- (i) was not required under Chapter 62, Code of Criminal Procedure, to register for life as a sex offender; or
 - (ii) was not a person who under Chapter 62, Code of Criminal Procedure, had a reportable conviction or adjudication for an offense under this section; and
- (B) the victim:
- (i) was a child of 14 years of age or older; and
 - (ii) was not:
 - (a) a person whom the actor was prohibited from marrying or purporting to marry or with whom the actor was prohibited from living under the appearance of being married under Section 25.01; or
 - (b) a person with whom the actor was prohibited from engaging in sexual intercourse or deviate sexual intercourse under Section 25.02.
- (f) An offense under this section is a felony of the second degree, except that an offense under this section is:
- (1) a felony of the first degree if the victim was:
 - (A) a person whom the actor was prohibited from marrying or purporting to marry or with whom the actor was prohibited from living under the appearance of being married under Section [25.01](#); or
 - (B) a person with whom the actor was prohibited from engaging in sexual intercourse or deviate sexual intercourse under Section 25.02; or
 - (2) a state jail felony if the offense is committed under Subsection (a)(1) and the actor has not received express consent as described by Subsection (b)(12).

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

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

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

(a) A person commits an offense:

(1) if the person:

(A) intentionally or knowingly:

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

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

- (i) causes the penetration of the anus or sexual organ of a child by any means;
- (ii) causes the penetration of the mouth of a child by the sexual organ of the actor;
- (iii) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor;
- (iv) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or
- (v) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor; and

(2) if:

(A) the person:

- (i) causes serious bodily injury or attempts to cause the death of the victim or another person in the course of the same criminal episode;
- (ii) by acts or words places the victim in fear that any person will become the victim of an offense under Section [20A.02\(a\)\(3\)](#), (4), (7), or (8) or that death, serious bodily injury, or kidnapping will be imminently inflicted on any person;
- (iii) by acts or words occurring in the presence of the victim threatens to cause any person to become the victim of an offense under Section [20A.02\(a\)\(3\)](#), (4), (7), or (8) or to cause the death, serious bodily injury, or kidnapping of any person;
- (iv) uses or exhibits a deadly weapon in the course of the same criminal episode;
- (v) acts in concert with another who engages in conduct described by Subdivision (1) directed toward the same victim and occurring during the course of the same criminal episode; or
- (vi) with the intent of facilitating the commission of the offense, administers or provides to the victim of the offense any substance capable of impairing the victim's ability to appraise the nature of the act or to resist the act;

(B) the victim is younger than 14 years of age, regardless of whether the person knows the age of the victim at the time of the offense; or

(C) the victim is an elderly individual or a disabled individual.

(b) In this section:

(1) "Child" has the meaning assigned by Section 22.011(c).

(2) "Elderly individual" has the meaning assigned by Section 22.04(c).

(3) "Disabled individual" means a person older than 13 years of age who by reason of age or physical or mental disease, defect, or injury is substantially unable to protect the person's self from harm or to provide food, shelter, or medical care for the person's self.

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

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

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

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

(1) the victim of the offense is younger than six years of age at the time the offense is committed;

or

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

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

(a) A person commits an offense if the person engages in sexual intercourse or deviate sexual intercourse with another person the actor knows to be, without regard to legitimacy:

- (1) the actor's ancestor or descendant by blood or adoption;
- (2) the actor's current or former stepchild or stepparent;
- (3) the actor's parent's brother or sister of the whole or half blood;
- (4) the actor's brother or sister of the whole or half blood or by adoption;
- (5) the children of the actor's brother or sister of the whole or half blood or by adoption; or
- (6) the son or daughter of the actor's aunt or uncle of the whole or half blood or by adoption.

(b) For purposes of this section:

- (1) "Deviate sexual intercourse" means any contact between the genitals of one person and the mouth or anus of another person with intent to arouse or gratify the sexual desire of any person.
- (2) "Sexual intercourse" means any penetration of the female sex organ by the male sex organ.

(c) An offense under this section is a felony of the third degree, unless the offense is committed under Subsection (a)(1), in which event the offense is a felony of the second degree.

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

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

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

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

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

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

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

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

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

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

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

(B) that an offense will be committed against:

(i) a member of the other person's family or household;

(ii) an individual with whom the other person has a dating relationship; or

(iii) the other person's property;

(2) causes the other person, a member of the other person's family or household, or an individual with whom the other person has a dating relationship:

(A) to be placed in fear of bodily injury or death or in fear that an offense will be committed against the other person, a member of the other person's family or household, or an individual with whom the other person has a dating relationship, or the other person's property; or

(B) to feel harassed, terrified, intimidated, annoyed, alarmed, abused, tormented, embarrassed, or offended; and

(3) would cause a reasonable person under circumstances similar to the circumstances of the other person to:

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

(B) fear that an offense will be committed against a member of the person's family or household or for an individual with whom the person has a dating relationship;

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

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

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

(1) the laws of another state;

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

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

(4) federal law.

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

(d) In this section:

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

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

Sec. 42.07. Harassment.

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

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

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

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

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

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

(b) In this section:

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

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

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

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

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

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

(i) commit suicide; or

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

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

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

(e) For purposes of Subsection (a)(9), it is presumed that a person did not give effective consent to the actor's conduct if:

(1) an application for a protective or restraining order against or with respect to the actor has been filed by or on behalf of the person under Subchapter A, Chapter 7B, Code of Criminal Procedure, Article 17.292, Code of Criminal Procedure, Section 6.504, Family Code, or Subtitle B, Title 4, Family Code, or an order has been issued against or with respect to the actor under one of those provisions; or

(2) the person is married to the actor and a petition for dissolution of marriage has been filed, or the person was previously married to the actor and the marriage has been dissolved.