MAPS

Texas A&M University-Kingsville Campuses

Texas A&M University – Kingsville Citrus Center
312 N. International Boulevard, Weslaco, Texas 78599
https://www.google.com/maps/place/312+N+International+Blvd,+Weslaco,+TX+78599/@26.1662182,-97.9607004,17z/data=!3m1!4b1!4m2!3m1!1s0x866578279adbb5a1:0x6dc4938a34c6ea44

Texas State Technical College – MITC
2424 Boxwood, Harlingen, Texas 78550
http://www.tstc.edu/campuses/harlingen

South Texas College Mid Valley Campus
400 N. Border Avenue, Weslaco, Texas 78596

Texas A&M University – San Antonio Campuses

TAMUSA Main Campus
One University Way, San Antonio, Texas 78235
http://www.tamusa.edu/tamusacampuses/index.html#maincampus

TAMUSA Brooks-City Base
2601 Louis Bauer Drive, San Antonio 78235
http://www.tamusa.edu/tamusacampuses/brookscampus.html

TAMUSA North Campus (Alamo University Center)
8300 Pat Booker Road, San Antonio 78233
http://www.tamusa.edu/tamusacampuses/brookscampus.html
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**2015 Annual Security Report has been amended to insure accuracy. Texas A&M University-Kingsville campuses and Texas A&M University San Antonio campuses information and data have been modified. 2012 information and/or data reported to the Department of Education (DOE) Campus Safety and Security Data Analysis Cutting Tool (CSSDACT) may not be reflected in the CSSDACT information because that section of the report has been locked. The DOE has the information available.**
From the Assistant Vice President of Student Affairs/Dean of Students

The Texas A&M University-Kingsville’s 2015 Annual Campus Security and Fire Safety Report, published October 1, 2015, which includes 2012, 2013, 2014 crime and fire statistics, is designed to provide important information about safety on our campus. This report contains information on the resources and services available to you as a student at Texas A&M University-Kingsville. It also contains statistics about crimes reported on or around our campus, as well as fire safety information and statistics.

It is important to stress that our campus is safe. However, you are encouraged to be aware of your personal safety and security and to be responsible in your actions while on campus. Texas A&M University-Kingsville has many programs and procedures in place to contribute to a safe campus environment, and you are encouraged to become familiar with them and review them regularly.

Your safety is very important to us. If you notice any suspicious, dangerous or illegal activities on campus, please notify the University Police Department at 361-593-2611 as soon as possible for investigation and resolution. A campus map is included in this report for your convenience.

We hope your stay on our campus is enjoyable and productive. If you would like more information about this report or campus safety and security in general, please contact the Dean of Students Office at 361-593-3606.

Sincerely,

Kirsten Compary
Assistant Vice President of Student Affairs/Dean of Students

From the Director of Public Safety/Chief of Police

Safety and security are everyone’s responsibility; it takes a team effort to ensure that the university community remains safe and crime free. The team is comprised of law enforcement professionals; university departments that include residential staff; staff from the Dean of Students office; Building Emergency Managers; staff from Risk Management; administrative staff from all divisions of the university, and, of course, you. You are the most important member of our team. We count on you to safeguard your valuables by securing them in locked vehicles (away from prying eyes), locked securely in your residential rooms or offices and not leaving portable electronic items unattended (not even for a second.) Please take a moment and familiarize yourself with the information in this report. If you have any questions do not hesitate to call us at 361-593-2611. We value your comments and ideas to make our university a safe place to learn, work, live and visit.

The University Police Department offered a number of personal safety awareness presentations in 2014. The presentations included alcohol awareness issues and laws, active shooter awareness with the “Shots Fired” DVD, Campus Security Authority training, Residential Advisor orientation training, new employee orientation, Building Emergency Manager training, Rape Aggression Defense (RAD) Systems training, and many others. These sessions are offered to the university community upon request. The department is also active in the community sponsoring a Teddy Bear drive, hosting annual National Night Out activities at Javelina Stadium each August, participating in a National Night Event with other law enforcement agencies in October, and sponsoring an annual car show for Special Olympics every year. Our collaborative efforts working with University Housing and Residential Life staff, other university departments and local law enforcement agencies have made a difference on campus.

We encourage you, students, staff and faculty, to remain informed and to contact the Texas A&M University-Kingsville police department, 361-593-2611, should the need arise.

Sincerely,

Felipe Garza
Director of Public Safety/Chief of Police
Preparation of the Annual Security and Annual Fire Safety Report

The Annual Security Report (ASR) and Annual Fire Safety Report (AFSR) is required by the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act (the Clery Act). The report includes, but is not limited to: campus safety and security policy statements and disclosures; statistics for Clery Act crimes for Texas A&M University-Kingsville property, adjacent property, and non-university property owned or controlled by the university for the previous three years; and fire statistics for on-campus student housing facilities for the previous three years. To prepare the Annual Security and Fire Safety Report, the university, through the University Police Department, collects, classifies, and counts crime reports and crime statistics. Crime statistics are collected throughout the year from UPD and members of the university designated as Campus Security Authorities (CSA). Crime statistics are also requested from local law enforcement agencies in jurisdictions where the university owns or controls property.

The Texas A&M University-Kingsville University Police Department (UPD) is responsible for preparing and distributing this report by October 1 each year. UPD works with many other departments and agencies, such as the Offices of the Dean of Students’ (including Maxient Reports), Housing and Residential Life, Student Health and Wellness, Compliance Office and the Kingsville Police Department to compile the information. UPD encourages members of the campus community to use this report as a guide for safe practices on and off campus. It is available on the Web at: http://www.tamuk.edu/dean/cleryreport.html. A PDF version of the report can be located directly at http://www.tamuk.edu/dean/dean_files/cleryreport.pdf

Distribution of the Annual Security Report and the Annual Fire Safety Report

The Annual Security Report and Annual Fire Safety Report is distributed as follows:

1. Current Students and Employees: The Director of Public Safety/Chief of Police and the Assistant Vice President of Student Affairs/Dean of Students and/or their designees, will distribute information about the availability of the Annual Security and Fire Safety Report to all current students and employees of their respective campuses. The information about how to access the report will be distributed to each individual directly by campus electronic mail. A copy may also be obtained by contacting the Dean of Students Office, Room 306 in the Memorial Student Union, or the Texas A&M University-Kingsville Police Department, Seale Hall, 825 W. Santa Gertrudis. Enrolled students at the main campus, TSTC Harlingen Campus- MIT-C, Citrus Center (Weslaco), South Texas College Mid-Valley Campus (Weslaco), and on-line, will receive the notice directly from Texas A&M University-Kingsville. Enrolled students at all San Antonio locations will receive notice about the report from Texas A&M University-San Antonio.

2. Prospective Students and Employees:
   a. Notice of the Annual Security Report and Annual Fire Safety Report’s availability, including a description of the report’s contents, and the opportunity to request a copy of the report will be provided to Prospective Students and Employees by email. Prospective students will be defined as individuals who have indicated interest in the university by providing their contact information during a campus tour, campus event, high school career event, or through submission of official application for admission. Prospective students will receive email correspondence indicating the notice of the ASR and AFSR availability, description of the report contents, a link to the report, and how to request a copy of the report. Prospective employees may obtain the report from the Human Resources Employment website. They will also be notified individually of the availability of the Clery report when the prospective
employee creates a username and password to gain access into JavJobs or San-Antonio’s job database, the university employment websites. A link to the full report will be included in the email notification. The full report will be provided upon request to all Prospective Students and Prospective Employees.

b. The same process of notification of current students, faculty, and staff, and prospective students and employees, is being used at Texas A&M University-San Antonio for the full Annual Security Report.

c. Faculty, staff and students at the MIT-C and Mid Valley Campus (Weslaco) receive notices through the campus email system.

Availability of the Annual Security and Annual Fire Safety Report

The report is available on the Texas A&M University-Kingsville website at http://www.tamuk.edu/dean/cleryreport.html. Copies of the report also may be obtained at the University Police Department located at room 101 in Seale Hall or by calling 361-593-2611. Copies may also be obtained from the Office of the Dean of Students. All prospective employees may obtain a copy from the office of Human Resources in College Hall, room 210 or by calling 361-593-3705.

Printed copies also are available in the Senior Vice President for Student Affairs, Enrollment Management and University Administration Office, College Hall, room 206; Office of the Dean of Students, Memorial Student Union, room 306; and University Police Department, Seale Hall room 109.

Information regarding the availability of the report, website location and where to access printed copies is announced during new faculty and staff orientation, new student orientation and other campus presentations, and published in the current student handbook and university catalog.

Definitions of Terms and Crime Definitions

The following information comes from a variety of sources, including the Department of Education’s Handbook for Campus Safety and Security Reporting (2011); Uniform Crime Reporting Handbook; Sex Offenses definitions from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program; and definitions of domestic violence, dating violence, and stalking adapted from the amendments made to the Violence Against Women Reauthorization Act of 2013; and Texas statutes. The following definitions are used when preparing the annual disclosure of crime statistics.

**Advisor:** Any individual who provides the accuser or accused support, guidance, or advice.

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury; usually accompanied by use of a weapon or by means likely to produce death or great bodily harm, though it is not necessary that physical injury actually occur.

**Anonymous:** An individual gives no personal information about himself/herself.

**Arrest:** Persons processed by arrest, citation or summons.

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

**Awareness Programs:** 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.

**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.

**Business day:** Monday through Friday, excluding any day when the institution is closed.

**Bystander intervention:** 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.

**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 within or reasonably contiguous to the area that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

**Campus security authority:** A campus police department or a campus security department of an institution; any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department, such as an individual who is responsible for monitoring entrance into institutional property; any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses; and, an official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. If such an official is a pastoral or professional counselor as defined below, the official is not considered a campus security authority when acting as a pastoral or professional counselor.

**Clergy geography.** For the purposes of collecting statistics on the reportable crimes for submission to the Department and inclusion in an institution's annual security report, Clery geography includes - buildings and property that are part of the institution’s campus; the institution’s noncampus buildings and property; and public property within or immediately adjacent to and accessible from the campus.

**Coercion:** A threat, however communicated to commit an offense; to inflict bodily injury in the future on the person threatened or another; to accuse a person of any offense; to expose a person to hatred, contempt, or ridicule; to harm the credit or business repute of any person; or to take or withhold action as a public servant, or to cause a public servant to take or withhold action.

**Conduct:** An act or omission and its accompanying mental state

**Confidential:** Any time a person requests a pseudonym for confidentiality during a crime investigation, the person will need to provide some personal information about himself/herself to the police officer conducting the investigation or the follow-up investigation. Personal information may include a name, phone number, address, birthdate, and/or social security number. This information will NOT to be provided to anyone not involved in the investigation.

**Consent:** According to Texas Penal Code, consent is permission; assent in fact, whether express or apparent. Consent is further defined in the University Sexual Misconduct rule as words or actions, as long as those words or actions create clear permission regarding willingness to engage in, and the conditions of sexual activity. Consent to some form of sexual activity cannot be automatically taken as consent to any other form of sexual activity. Silence alone cannot be assumed to show consent. Absence of resistance does not imply consent. Previous relationships of prior consent
cannot imply consent to any future acts. Consent cannot be obtained by coercion, force, or the threat of either. Consent can be withdrawn at any time. Consent – clear and voluntary agreement to engage in a specific sexual activity. A person who was asleep or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason, or whose agreement was made under duress or by threat, coercion, or force, cannot give consent. Consensual – involving or based on mutual consent. (For additional information consult Texas A&M University System policy 08.01.01)

Consent includes consent by a person legally authorized to act for the owner. Consent is not effective if induced by force, threat, or fraud; given by a person the actor knows is not legally authorized to act for the owner; given by a person who by reason of youth, mental disease or defect, or intoxication is known by the actor to be unable to make reasonable decisions; or given solely to detect the commission of an offense. An individual who is incapacitated, unconscious, or unaware that the sexual assault is occurring is considered unable to give consent. For the purposes of this rule, a person who is asleep or unconscious is incapacitated, without exception. When alcohol or other drugs are being used, a person will be considered incapacitated if they cannot fully understand the details of a sexual interaction because they lack the capacity to reasonably understand the situation (e.g., to understand the “who, what, when, where, or how” of their surroundings). Sexual contact with someone who you know or reasonably should know to be mentally or physically incapacitated constitutes a violation of this rule. Intoxication or being under the influence of illegal drugs is not an excuse for failure to obtain consent.

**Dating Violence**: Violence committed by a person: who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse, but dating violence does not include acts covered under the definition of domestic violence. Student Code of Conduct: Dating Violence – An act, other than a defensive measure to protect oneself, by an individual against a victim with whom there is or was a romantic or intimate relationship or marriage, and that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably results in a fear of such harm. (Texas Family Code 71.0021)(Texas A&M University System policy 08.01.01)

**Disability**: An individual, (a) a physical or mental impairment that substantially limits one or more major life activities of such individual; b) a record of such impairment; or (c) being regarded as having such an impairment.

**Domestic Violence**: Felony or misdemeanor crimes of violence committed by a current or former spouse 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. Student Code of Conduct: Domestic Violence – An act against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault, or the threat of which reasonably causes fear of such harm.

**Drug Law Violations**: Violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drugs or narcotic substance.

**Federal Bureau of Investigation’s (FBI) Uniform Crime Reporting (UCR) program**: A nationwide, cooperative statistical effort in which city, university and college, county, State, Tribal, and federal law enforcement agencies voluntarily report
data on crimes brought to their attention. The UCR program also serves as the basis for the definitions of crimes and the requirements for classifying crimes.

**Hate Crimes:** A crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of this section, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

**Hate Crimes and Hate Incidents:** Any act of physical intimidation or physical harassment, physical force or physical violence, or the threat of physical force or violence, that is directed against any person or group of persons because of the ethnicity, race, national origin, religion, sex, sexual orientation, gender identity, disability or political/religious beliefs of that person or group.

Hierarchy Rule: A requirement in the FBI's UCR program that, for purposes of reporting crimes in that system, when more than one criminal offense was committed during a single incident, only the most serious offense be counted.

**Liquor Law Violations:** The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possession of intoxicating liquor. (Drunkenness and driving under the influence are not included in this definition).

**Location of Crime:**
- **On campus:** Anywhere on the university campus, includes all properties owned by the university and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes; or reasonably contiguous to the area and owned by the university but controlled by another person, is frequently used by students and supports the institutional purpose.
- **Residence Facilities:** University owned or operated residential facilities (extracted from on campus statistics).
- **Non-campus Property:** Building or property owned or controlled by institution in direct support of or in relations to the institution's educational purposes; is frequently used by students and is not within the same reasonably contiguous geographic area of the university, or is owned or controlled by a student organization that is officially recognized by the university.
- **Public Property:** All public property, including thoroughfares, streets, sidewalks and parking facilities within the campus or immediately adjacent to and accessible from campus.

**Manslaughter:** The unlawful killing of a human being without malice.

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

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle.

**Negligent manslaughter:** The killing of another person through gross negligence.

**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.

**Ongoing prevention and awareness campaigns:** 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.
Pastoral counselor: A person, who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.

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

Proceeding: 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 victims concerning accommodations or protective measures to be provided to a victim.

Prohibition on retaliation: An institution, or an officer, employee, or agent of an institution, may not retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities.

Professional counselor: A person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.

Programs to prevent dating violence, domestic violence, sexual assault, and stalking: 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 or 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. Programs to prevent dating violence, domestic violence, sexual assault, and stalking include both primary prevention and awareness programs directed at incoming students and new employees and ongoing prevention and awareness campaigns directed at students and employees.

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.

Referred for Disciplinary Action: The referral of any person to any official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

Result: Any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions imposed by the institution. The result must also include the rationale for the result and the sanctions. Compliance with this section does not constitute a violation of FERPA.

Risk reduction: 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.

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

Sex Offenses:
• **Forcible Fondling**: The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person’s will, or not forcibly or against the person’s will where the person is incapable of giving consent.

• **Forcible Rape**: The carnal knowledge of a person forcibly and/or against that person’s will; or not against the person’s will where the victim is incapable of giving consent.

• **Forcible Sodomy**: Oral or anal sexual intercourse with another person, forcibly and/or against that person’s will; or not against the person’s will where the victim is incapable of giving consent.

• **Incest**: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

• **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. This definition includes any gender of victim or perpetrator. Sexual penetration means 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, or by a sex-related object. This definition also includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol) or because of age. Physical resistance is not required on the part of the victim to demonstrate lack of consent. ("Rape" is now inclusive of rape, sexual assault, sexual assault with an object, and forcible sodomy and can be perpetrated against both women and men.)

• **Sexual Assault**: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the uniform crime reporting system of the Federal Bureau of Investigation.

• **Sexual Assault**: (University Sexual Misconduct rule) Any intentional or knowing penetration of the sex organs, anus, or mouth without the other person’s consent

• **Non-consensual sexual intercourse**: The oral, anal, or vaginal penetration, however slight, by a sexual organ of another and/or the anal or vaginal penetration, however slight, by any means, against the victim’s will or without his/her consent.

• **Non-consensual sexual contact**: Attempting to or making physical sexual contact, however slight, including but not limited to inappropriate touching or fondling without consent. This includes using force or coercion to cause a person to make physical sexual contact on their body or the body of another.

• **Sexual Assault with an Object**: The use of an object or instrument to unlawfully penetrate the genital or anal opening of the body of another person, forcibly and/or against the person’s will, or not against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

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

• **Sexual Harassment**: A form of sex discrimination. Unwelcome sexual advances, requests for sexual favors and other verbal, nonverbal or physical conduct of a sexual nature constitute sexual harassment when this conduct is so severe, persistent or pervasive that it explicitly or implicitly affects an individual’s employment, unreasonably interferes with an individual’s work or educational performance, or creates an intimidating or hostile work or educational environment. Sexual harassment includes non-consensual sexual contact, non-consensual sexual intercourse and sexual exploitation. Sexual exploitation occurs when an individual takes non-consensual or abusive sexual advantage of another for his or her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited. For example, sexual exploitation could include such actions as secretly videotaping sexual activity, voyeurism, sexually-based stalking and invasion of sexual privacy. (University Sexual Misconduct rule) Sexual Harassment – Sexual harassment is a form of sex discrimination. Unwelcome sexual advances, requests for sexual favors and other verbal, nonverbal or physical conduct of a sexual nature constitute sexual harassment when this conduct is so severe, persistent or pervasive that it
explicitly or implicitly affects an individual’s employment, unreasonably interferes with an individual’s work or educational performance, or creates an intimidating or hostile work or educational environment. Unwelcome means that an individual did not request or invite it and considers the conduct to be undesirable or offensive. Submission to the conduct or failure to complain does not always mean that the conduct was welcome. Sexual harassment includes non-consensual sexual contact, non-consensual sexual intercourse, sexual exploitation, and stalking, dating violence, and domestic violence based on sex.

- **Sexual Misconduct:** (University Sexual Misconduct rule) A broad term that includes Non-Consensual Sexual Contact, Non-Consensual Sexual Intercourse, Sexual Violence, and Sexual Harassment as defined in this rule. Under this rule, all individuals are covered, regardless of sexual orientation, gender, and/or gender identity.

- **Sexual Violence:** (University Sexual Misconduct rule) Physical sexual acts perpetrated against a person’s will or when a person is incapable of giving consent. A number of different acts fall into the category of sexual violence, including sexual assault, sexual battery, sexual abuse, sexual coercion, and sexual exploitation.

- **Statutory Rape:** Non-consensual sexual intercourse with a person who is under the statutory age of consent.

**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. **Reasonable person** means a reasonable person under similar circumstances and with similar identities to the victim. **Substantial emotional distress** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. Stalking – knowingly engaging in conduct, including following a person, that one reasonably believes is threatening the bodily injury or death of themselves, a member of their family or household, or their property. (Texas Penal Code 42.072)(Texas A&M University System policy 08.01.01)

**Test:** Regularly scheduled drills, exercises, and appropriate follow-through activities, designed for assessment and evaluation of emergency plans and capabilities.

**Unfounded:** A complaint that is determined through investigation to be false or baseless. If the investigation shows that no offense occurred nor was attempted, procedures dictate that the reported offense must be unfounded.

**Weapon Law Violations:** Violations of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons.

**Texas A&M University-Kingsville Police**

**Our Mission**

Our mission is to provide the University community with a safe and secure learning and working environment by providing the highest quality police services, which include prompt response, availability of officers and informational and instructional services.

**Emergencies:** Dial 9-1-1 (Campus Phone)
Non-Emergency Assistance: Dial 361-593-2611 (Campus Phone 2611)

Located at 825 W. Santa Gertrudis Avenue, Seale Hall, Kingsville, Texas, the Texas A&M University – Kingsville Police Department is open 24 hours a day, 365 days a year. The department consists of professional campus police and telecommunication officers dedicated to providing excellent customer service to the community. Officers patrol the campus on foot, by bicycle, Segways, golf cart and in vehicles. Officers and a supervisor are on duty 24 hours a day. The Dispatch Center is staffed with trained and certified dispatchers who answer calls for service, dispatch officers and other...
emergency services to incidents, and monitor intrusion detection and fire alarms. The department also employs students who carry out a variety of roles, including parking enforcement and assist officers in providing campus escorts.

**Reporting Crimes to University Police**

Texas A&M University-Kingsville and the University Police Department (UPD) encourage the immediate or prompt reporting of any incident that compromises the safety, health or rights of university community members. All students, employees, and visitors should promptly report criminal incidents, accidents, other emergencies (i.e., fire, ambulance, etc.), and suspicious person(s) or activities to the University Police Department (361-593-2611) or 911 (the university police department is not a designated public answering point for 911 calls, the Kingsville Police Department receives and answers all 911 calls in the city’s geographical and refers any 911 calls from the university to the UPD dispatcher for appropriate action.) Persons who are deaf or hard of hearing should call 911 from a TTY/TDD telephone to reach KPD, KPD also operates its own dispatch center 24 hours a day. The University police department also has TTY/TDD for non-emergency calls at 361-593-2611.

Individuals also may report incidents in person at the University Police Department’s, located at 825 W. Santa Gertrudis Avenue, Kingsville campus. After receiving information concerning a crime or an emergency, the University Police Department (UPD) will ensure an effective investigation and appropriate follow-up actions, which may include issuing timely warning notifications to alert the campus community about crimes that pose a serious or continuing threat to safety, or issuing emergency notification and evacuation procedures to alert the campus community about significant emergencies or dangerous situations. Reporting all incidents to UPD also allows for accurate reporting of crime statistics in public disclosures such as the Annual Security and Fire Safety Report and the Daily Crime and Fire Log.

Campus community members, faculty, staff and students are strongly encouraged to immediately report criminal activity, other emergencies, suspicious activity to the University Police Department or a local law enforcement agency promptly. Reports will be thoroughly investigated and results will be forwarded to the appropriate prosecutorial entity, the Dean of Students Office, the Human Resources office, Compliance Office or Title IX as appropriate.

The University has installed emergency two-way call boxes (blue light phones) throughout campus for use during emergencies. By pressing the red button on the stations, users can communicate directly with our Dispatchers. The location of the station is digitally displayed to the tele-communications officer. The campus community can also take advantage of the university’s Rave Guardian app, which is called JavGuard, to communicate directly with University police or 911 operator, send text or photographic information to the University police about crimes, numerous incidents or request police assistance, or set a timer to notify people you trust to check on you when you are alone or in an unfamiliar place.

The University Police Department will take the following actions as necessary:

- Dispatch police, fire and/or medical assistance as needed to the scene of the incident or if a non-emergency ask the victim to report the incident at the UPD office.
- Investigate or assist allied agencies with the situation.
- Take appropriate actions to identify, apprehend and submit for prosecution to the courts, the responsible person(s)
- Notify or request assistance from other law enforcement agencies and/or other allied agencies as appropriate
- Document occurrences or take appropriate action and/or notify appropriate agency/departments.
- UPD incident reports involving misconduct by students, faculty or staff may be forwarded to the Dean of Students Office or the Human Resources office for review and potential disciplinary action. UPD investigators will investigate a report when it is deemed appropriate. Additional information obtained via the investigation also will be forwarded to the Dean of Students office or Human Resources Office.
Enforcement Authority/Other Police Agencies

UPD is the primary respondent for campus emergencies and reports of criminal activity on campus. Officers are fully certified by the State of Texas with full arrest powers. The Texas A&M University System employs and commissions campus peace officers for the purpose of protecting the safety and welfare of students, employees, and property of the institution in accordance with state law. Any officer so commissioned is vested with all powers, privileges, and immunities of peace officers while the officer is in his or her primary jurisdiction or outside the officer’s primary jurisdiction. Commissioned campus peace officers employed by any university of the system shall normally confine their duties as peace officers to activities within the boundaries of the property owned, leased or otherwise controlled by the respective system university but, nonetheless, shall have primary jurisdiction in any county in which the property is located.

Texas A&M University Kingsville police cooperate with federal, state and local police agencies (City of Kingsville Police Department, Kleberg County Sheriff’s Department, Texas Department of Public Safety, Texas Rangers, Department of Homeland Security and the Federal Bureau of Investigation), resulting in the University’s awareness of criminal activity perpetrated beyond the campus. UPD does not currently have a written Memorandum of Understanding with these responding agencies.

The Texas A&M University-Kingsville Police Department compiles and distributes the Annual Security Report and Fire Safety Report. Statistical information in the report is gathered from various sources such as, but not limited to, local law enforcement agencies, Dean of Students, Office of Environmental Health and Safety, Office of Risk Management, Office of Compliance, Campus Officials, Texas A&M University San Antonio, Texas State Technical College in Harlingen, Texas, South Texas College Mid Valley Campus, and Weslaco Campus Citrus Center. We encourage members of the campus community to use this report as a guide for safe practices on and off campus. It is available on the Web at: http://www.tamuk.edu/dean/cleryreport.html. Annual notification of the Annual Security Report is made to all students, faculty and staff using Texas A&M University–Kingsville campus email that describes the report and provides its Web address. Prospective students and employees are also notified by email and provided with the web address where they may access the information on the annual security report.

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

Reports of criminal activity will be fully investigated, and appropriate referrals made to the appropriate courts, the Dean of Students Office or Human Resources Office as necessary. Community members are encouraged to report crime concerns to UPD, as well as the Dean of Students office and University Housing and Residence Life office if residing on campus.

Safe Campus Environment

The university makes every effort to create a campus environment that fosters personal safety and property security for students, faculty, staff, and visitors. Members of the university community are urged to immediately advise the university police department, 361-593-2611, of any criminal action or suspicious behavior. Criminal trespass warnings can be issued to suspicious persons and those who violate laws. Anyone returning to a Texas A&M University – Kingsville campus after being issued a trespass warning is subject to arrest.

Texas A&M University-Kingsville will adhere to a “zero-tolerance” of violation of the law and of violence in the workplace. We will investigate complaints of threats of intimidation and take disciplinary action when employees
demonstrate any behavior which, in management’s opinion, constitutes a potentially violent situation. This policy extends to persons connected with university business, including vendors or others who interact with university employees.

A climate of fear or intimidation will not be tolerated at Texas A&M University-Kingsville. Threatening behaviors, acts of aggression and violence will result in appropriate action by the university, up to and including dismissal. Student, faculty and staff misconduct will be handled in accordance with the student code of conduct, Texas A&M University System policy or Human Resources policy and/or applicable state or federal laws. Call the Texas A&M University-Kingsville police department, 361-593-2611, to report incidents.

Texas A&M University-Kingsville will not tolerate hate violence and is dedicated to ensuring all persons are protected regardless of their race, national origin, religion, sex, sexual orientation, age or disability or political/religious beliefs. In furtherance of this mission, all ‘hate’ crimes and incidents will be thoroughly documented, investigated and assigned to the courts for prosecution. Students and staff/faculty are encouraged to promptly report these types of incidents to UPD (ext. 2611) or 361-593-2611, the Dean of Students (ext. 3606) or 361-593-3606 or the Compliance Office (ext. 4758) or 361-593-4758.

Director of Compliance: 361-593-4758, Provides information and assistance with sexual assault, domestic violence, dating violence and stalking, facilitation of employee's complaints alleging illegal discrimination and related retaliation, coordination of an employee's request for reasonable accommodations pursuant to the Americans with Disabilities Act (ADA), facilitation of employee or student complaints alleging discrimination on the basis of disability and oversight of the university’s Title IX program to report an incident of sexual misconduct to obtain resources for a pregnant or parenting student) and education.

Title IX Coordinator 361-593-4761, The University Title IX Coordinator’s core responsibilities include overseeing the University’s response to Sexual Misconduct. The University Title IX Coordinator must be informed of all reports raising Title IX issues, regardless of where the report was initially filed. Students may file Title IX violations (sex discrimination, harassment, assault, misconduct, or violence).

The following on-campus resources and services are available to provide assistance and/or counseling. Speaking to these resources does not constitute a report to the university for the purposes of initiating an administrative or criminal investigation of crime. Identifying information will not be shared with anyone without consent from the victim/survivor unless there is an imminent threat of harm to self or others.

Counseling Services: 361-593-3991, Student Health and Wellness provides free and confidential assessments and counseling for academic, career, and personal issues to all enrolled Texas A&M University - Kingsville students. All counseling sessions are confidential to the full limits provided by the law; no information can be released within or outside the university without the client’s consent. There is no set limit or requirement to the number of sessions that one may attend.

Student Health Services: All information obtained at the Student Counseling Center is strictly confidential and is protected by professional ethics and law. Counseling records are not released to any other person or agency within or outside of Texas A&M University-Kingsville without the patient’s written consent, except as permitted or required by law.

The Kingsville Police Department and the Kleberg County Sheriff’s Department are the primary responding law enforcement agencies to off-campus properties, private off-campus housing and other student functions or activities located within the City of Kingsville or Kleberg County. The university police department is notified of occurrences reported at these locations. Crime reports and statistics generated at these locations are maintained by the appropriate
Confidential Crime Reporting
The university encourages anyone who is the victim or witness to any crime to promptly report the incident to UPD or local police. If you are a victim of a crime and do not want to pursue action within university channels or the criminal justice system, or if you are a witness to a crime and do not want to reveal your identity, you may make a confidential report of the incident to the UPD. However, because police reports are public records, under state law, UPD cannot hold all reports of crime in confidence.

The purpose of a confidential report is to maintain the reporting individual’s confidentiality, while helping the university protect the safety of the campus community. A student’s privacy concerns are weighed against the needs of the university to respond to certain incidents and crimes. To the greatest extent possible, all reports will remain private. In compelling situations, Texas A&M University Kingsville reserves the right to take reasonable action in response to any crime report, and information may be shared with appropriate departments and agencies under a need-to-know basis when it pertains to investigative needs and safety concerns of the campus community.

All reports submitted on a confidential or anonymous basis are evaluated for purposes of issuing a campus-wide “timely warning” as well as inclusion in the annual crime statistics. Providing this information also helps the university maintain accurate records regarding the number of incidents involving students, employees and visitors; determine a pattern of crime with regard to location, method or assailant; and alert the campus community to potential dangers when appropriate. Reports filed in this manner are not excluded from the Texas A&M University-Kingsville annual crime statistics, and when they involve allegations of sexual harassment (including sexual violence) they are made available to the University’s Title IX Coordinator.

Anonymous reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to other Campus Security Authorities at Texas A&M University-Kingsville. Anonymous reports of crimes may also be made to the City of Kingsville Crime Stoppers line at 361-592-4636. The only entity on the Texas A&M University-Kingsville campus that can guarantee confidentiality is a licensed professional counselor at the Student Counseling Center located in Student Health and Wellness.

Reporting Crimes or Other Emergencies
Campus members observing criminal activities and other emergencies occurring on campus should contact law enforcement immediately by dialing 2611 or 9-1-1 from any campus telephone, contacting a police officer on patrol, or in person at a law enforcement office.

In Kingsville:
University Police Department: 361-593-2611
City of Kingsville Police Department: 361-592-4311
Kleberg County Sheriff’s Department: 361-595-8500
Kingsville Crime Stoppers 361-593- INFO (4636)
Other Crime Reporting Options on Campus:
Dean of Students Office: 361-593-3606
Compliance Office: 361-593-4758
Title IX Coordinator: 361-593-4761
University Housing and Residence Life: 361-593-3419
Office of Human Resources: 361-593-3705

To report a non-emergency security or public safety-related matter, call the University Police Department at 361-593-2611 or report in person at 825 W. Santa Gertrudis Avenue, Seale Hall, Kingsville, Texas. Dispatchers are available 24 hours a day to answer calls.

For a non-emergency call for locations located in the Rio Grande Valley, please contact the appropriate law enforcement or fire agencies at the numbers below:

- Cameron County Sheriff’s Office 956-554-6700
- Harlingen Police Department 956-427-8787
- Harlingen Fire Department 956-216-5700
- Weslaco City Police 956-968-8591
- Weslaco City Fire Station 956-968-7581
- Weslaco Crime Stoppers 956-968-TIPS(8477)
- Hidalgo County Sheriff's Office 956-383-8114
- South Texas College Police 956-872-2589
- Texas State Technical College Police 254-867-3690

Crimes reported will be listed in the appropriate categories in the Clery Annual Security Report. All reported crimes will be taken seriously, even if reported in an anonymous or confidential manner.

For on-campus or non-campus offenses, we encourage accurate and prompt reporting to the proper local law enforcement agency or Campus Security Authority (CSA), prompt reporting will ensure the issuing of a timely warning reports and the annual statistical disclosure. The University relies on its close working relationships with local law enforcement agencies to receive information about incidents involving students on campus. The Texas A&M University Kingsville Police will actively investigate any crime information it receives concerning or involving a member of the campus community. If the University is notified of a situation in which a campus community member is the victim of a crime, the department may issue a Timely Warning, detailing the incident and providing tips so that other community members may avoid similar incidents. We will forward for disciplinary action any information regarding student misconduct on campus property.

Alternatives to Immediately Filing a Police Report
While Texas A&M University-Kingsville encourages the campus community to promptly report any criminal event or suspicious person or circumstance to UPD there will be times when the victim of a crime elects to or is unable (physically/mentally) to make such a report. In those situations they may elect to:

- Report the crime to UPD at a later date.
- Make a complaint to the Dean of Students Office. Such a complaint may be used for actions which include, but are not limited to, on-campus disciplinary proceedings.
- Make an anonymous report to the police. UPD has a website that may be used to report crimes anonymously [http://www.tamuk.edu/finance/upd/silent_witness.html](http://www.tamuk.edu/finance/upd/silent_witness.html)
• Contact a referral agency for help: the Housing Office, Student Health and Wellness, or the Title IX Coordinator in the Office of Compliance. Such a complaint may be used for actions which include, but are not limited to, on-campus disciplinary proceedings.

Campus Security Authorities
In addition to UPD personnel (police officers, dispatchers and parking enforcement officers) the university has designated individuals as Campus Security Authorities (CSA’s). CSA’s are identified as individuals that have significant responsibility for students or campus activities. CSA’s have a legal obligation to notify UPD of any Clery Act crimes that were conveyed to them in good faith, meaning that there is reasonable basis for believing that the information is not rumor or hearsay. While CSAs must report any Clery Act crime that comes to their attention, at the request of the victim(s), identifying information may be excluded from the report (e.g., names, initials, contact information, etc.). CSAs can submit Clery Act crimes to UPD in a number of ways, including:
  • Completing the CSA Crime Statistics Reporting Form available at: http://www.tamuk.edu/finance/upd/crime_report.html or
  • Notifying the Texas A&M University-Kingsville Police Department at 361-593-2611

Please refer to the Campus Directory for contact telephone numbers or call (361) 593-2111 to reach the campus operator. CSA’s for the main Texas A&M University-Kingsville campus are the:
  • Senior Vice President of Student Affairs, Enrollment Management and University Administration;
  • Assistant Vice President of Student Affairs/Dean of Students;
  • Associate Dean of Students;
  • Director of Student Activities, Leadership & Special Projects Coordinator, International & Multicultural Event Coordinator, Campus Activities Coordinator, Greek Life Coordinator, Javelina Camp staff;
  • Faculty advisors for Texas A&M University-Kingsville student organizations;
  • Director of Student Health and Wellness (SHW) Department, Medical Providers in SHW; Staff nurses; Coordinator of Disability Resource Center;
  • Student Success Peer mentors,
  • Executive Director, Director of Housing, Associate Director of Residential Education, Assistant Director of Residence Life, and Area Coordinators, Head Residents and Resident Advisors, for University Housing and Residence Life;
  • Vice President of Intercollegiate Athletics and Campus Recreation, Assistant and Associate Athletic Directors and head coaches and assistant head coaches (Men’s -football, basketball, baseball, cross-country, track and field; Women’s – basketball, cross-country, golf, softball, tennis, track and field and volleyball, cheer teams;
  • Senior Associate Athletic Director/Head Athletic Trainer and assistant trainers;
  • Campus Recreation Director, Assistant Director of Campus Recreation, and Campus Recreation student staff;
  • Executive Director of International Studies and Programs, and faculty members involved with Study Abroad programs;
  • Professor and instructors of Military Science;
  • Summer Camp coordinators and staff;
  • Director of Compliance; and
  • Title IX Coordinator and Deputy Title IX Coordinators.

The university encourages professional counselors, at their discretion, to inform those they counsel to report crimes in a voluntary, confidential manner for the purposes of collecting crime statistics. Student Health and Wellness Services staff informs their clients of the procedures to report crime to the University Police Department on a voluntary or confidential basis. A procedure is in place to anonymously capture crime statistics disclosed confidentially during such a session.
Certain individuals are encouraged to report crime statistics to UPD, but according to federal law, they are not designated as CSAs and are not required to report crime statistics. This reporting exemption extends only to the following:

**Professional Counselor:** A person whose official responsibilities include providing mental health counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification. This definition applies even to professional counselors who are not employees of the institution, but are under contract to provide counseling at the institution. An example is professional mental health counselors, functioning in that capacity, in the university’s Student Health and Wellness Center.

**Pastoral Counselor:** A person associated with a religious order or denomination who is recognized by that religious order or denomination as someone who provides confidential counseling and is functioning within the scope of that recognition as a pastoral counselor. Texas A&M University-Kingsville does not employ any pastoral counselors who meet this exemption.

Crimes not occurring on the main Texas A&M University-Kingsville campus should be immediately reported to the appropriate law enforcement agency or to the individuals occupying the positions below:

**Texas A&M University–Kingsville students attending South Texas College – Mid Valley Campus**, 400 N. Border Avenue, Weslaco, Texas 78596, Main Phone (956)266-9235
Director of Operations: (956)266-9235

**Texas A&M University–Kingsville Students attending classes at Texas State Technical College** (TSTC), also known as the MITC Center, 1902 North Loop 499, Harlingen, Texas 78550, Phone: 1-800-852-8784
Director, University Center, located at 2424 Boxwood, Harlingen, Texas 78550: (956) 364-4535

**Texas A&M University–Kingsville students attending classes at Texas A&M University-Kingsville Citrus Center**, 312 N. International Blvd., Weslaco, Texas 78596, Main Phone: 956-447-3360
Director: (956) 447-3361
Assistant to the Director: (956) 447-3362
Farm Superintendent: (956) 447-3366

**Texas A&M University–Kingsville students attending classes at Texas A&M University San Antonio,**
- Main Campus, One University Way, San Antonio, Texas 78224 (Phone: 210-784-1911)
- Brooks City-Base Campus, 2601 Louis Bauer Drive, San Antonio, Texas 78224 (Phone 210-784-1900),
- Texas A&M San Antonio North (Alamo University Center), 8200 Pat Booker Road, Live Oak, TX 78233 Alamo College Police Department (210-485-0099)

For information on Campus Security Authorities for Texas A&M University San Antonio, please refer to the TAMUSA Annual Security report located at [http://www.tamusa.edu/upd/](http://www.tamusa.edu/upd/)

**Timely Warnings**
In the event a situation arises, either on or off campus, that in the judgment of the Director of Public Safety/Chief of Chief, University Police Department, or his designee, constitutes an ongoing or continuing threat, a campus-wide “timely warning” will be issued using the university email system. The university will issue an alert to provide students, faculty and staff as reasonably and timely as possible, notification of a crime that may represent a serious or on-going threat to the campus community, that will aid in the prevention of similar occurrences and to heighten safety awareness. The timely warning message will withhold the names of the victims, because victim’s names are confidential.
The Director of Public Safety/Chief of Police, or his designee, will notify the Senior Vice President of Student Affairs, Enrollment Management and University Administration, who serves as the chair of the Emergency Management Team (EMT), of a situation that needs reporting. They make the decision whether to issue a timely warning on a case-by-case basis in light of all the facts surrounding the incident. Timely warnings are issued as soon as possible after UPD is notified; however, the release of the warning is subject to the availability of accurate facts concerning the incident. Criteria to be evaluated may include:

- The nature of the crime
- The continuing danger to the campus community
- The possible risk of compromising law enforcement efforts

Timely warnings include information that promote safety and would aid in the prevention of similar crimes, including, but not limited to:

- Brief description of the crime(s) that occurred
- Date and time when the crime(s) occurred
- Location of the crime(s)
- Possible connections between incidents (if applicable)
- Description of suspect(s) and/or any available information to aid in the apprehension of the offender(s) (if applicable)
- Recommended actions
- Precautions for the campus community to protect itself
- Description of crime reporting options at the university.

Timely warnings are issued to the campus community in a manner that is timely and that withholds as confidential the names and other identifying information of victims through university email. When the imminent threat no longer exists the university will send out a follow up notification or an all clear message.

Personnel authorized to issue a Timely Warning notice to the Texas A&M University-Kingsville campus are:

- Director of Public Safety/Chief of Police, or designee,
- Senior Vice President for Student Affairs, Enrollment Management and University Administration,
- Assistant Vice President of Student Affairs/Dean of Students, and,
- President of the University, or his designee.

Crimes subject to Timely Warning notifications are for Clery reportable crimes, and may be sent for the following crime categories:

- Criminal homicide (murder and non-negligent manslaughter; and negligent manslaughter)
- Sex offenses (rape, fondling, incest, and statutory rape)
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- Hate crime motivated by race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and/or disability involving any of the offenses listed above or any of the following offenses: larceny-theft, simple assault, intimidation, or destruction/damage/vandalism of property
- Dating violence
- Domestic violence
- Stalking
• Arrests or referrals for liquor law violations, drug law violations, and illegal weapons possession

On the Kingsville campus, anyone with information warranting a timely warning should immediately report the circumstances to the University Police, by phone (361-593-2611) or in person at their office at Seale Hall, Room 110, 825 W. Santa Gertrudis Avenue.

On the Citrus Center (Weslaco), Mid Valley Campus (Weslaco), TSTC- MIT-C (Harlingen) and Texas A&M University San Antonio, anyone with information warranting a timely warning should immediately report the circumstances to law enforcement or Campus Security Authority, as noted in the CSA and Law Enforcement sections of this document.

Campus Emergency Notifications
In the event of a significant emergency or dangerous situation involving the immediate threat to the health or safety of persons on the campus, the university will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system unless issuing a notification will, in the professional judgement of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Emergency Notification (Tier I and Tier II)
When time is of the essence, information may be released to the university community through the Tier I and Tier II mass notification system. Tier I is capable of displaying written commands on interior signs, as well through direct commands and sounds that alert the campus to danger and ways to take necessary precautions through the outdoor public address system. Additionally, in buildings equipped with public address capability through the fire alarm system, announcements can be made. Tier II is capable of sending alerts via telephone call, email messages and text messages to registered users. Students are able to include several telephone numbers and email addresses allowing notification to parents and/or spouses as well. Because Tier I and Tier II uses data provided by the students, it is imperative that contact information remain up-to-date at all times. In emergency situations, the campus also is equipped with an outdoor speaker system that can broadcast direct commands and sounds to alert the campus to danger and ways to take necessary precautions. The system is also accompanied by interior signs placed strategically in campus buildings throughout the campus.

Texas A&M University-Kingsville will use the system only to provide official notification of critical emergencies (i.e., situations that pose an imminent threat to the community). When the imminent threat no longer exists the university will send out a follow up notification or an all clear message.

It is the policy of Texas A&M University-Kingsville to notify the campus community, via the Tier I and Tier II Emergency Notification System, upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. The University Police Department may receive such information from entities including, but not limited to: law enforcement, fire department, National Weather Service, Office of Risk Management or personnel from Environmental Health and Safety. The Tier I and Tier II emergency notification system does not replace Timely Warning requirement. They differ in that the Time Warning requirement applies only to Clery reportable crimes, while the emergency notification system addresses a much wider range of threats (i.e. gas leaks, tornadoes, active shooter, etc.).

The procedure for determining when a Tier I and Tier II emergency alert message is sent and/or activation of the notification system is the responsibility of the Director of Public Safety/Chief of Police or his designee of the Texas A&M University-Kingsville Police Department. The University Police Department functions 24-hours a day, seven days a week. Upon notification from one of the individuals authorized to issue a Tier I and Tier II alert, the University Police Department, without delay, and taking into account the safety of the community, determines the content of the
notification and initiates the notification system; unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

Personnel authorized to issue a Tier I and Tier II alert are:
- Director of Public Safety/Chief of Police, or designee
- Police Lieutenant,
- University Police Department patrol supervisors, communications officer,
- Director of Risk Management,
- Senior Vice President of Student Affairs, Enrollment Management and University Administration,
- Assistant Vice President of Student Affairs/Dean of Students, and,
- President of the University, or his designee.

The university conducts weekly pre-scheduled testing of the emergency notification system. These weekly tests are launched by the Office of Risk Management and/or the Communications Section of the University Police Department.

Confirming the Existence of a Significant Emergency or Dangerous Situation and Initiating the Emergency Notification System

1. University Police and/or other first responders may become aware of a critical incident or other emergency situation that potentially affects the health or safety of the campus community. Generally, campus first responders become aware of these situations when they are reported to the UPD Dispatch Center or upon discovery during patrol or other assignments.

2. Once first responders confirm that there is, in fact, an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the campus community, first responders will notify supervisors at UPD to issue an emergency notification.

3. The Director of Public Safety/Chief of Police, Senior Vice President for Student Affairs, Enrollment Management and University Administration, and the Executive Director of Enterprise Risk Management, or their designee will make the appropriate notifications to Texas A&M University—Kingsville’s executive leadership and initiate all or some portions of the emergency notification system.

4. If, in the professional judgment of first responders, issuing a notification potentially compromises efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency, the university may elect to delay issuing an emergency notification. As soon as the condition that may compromise efforts is no longer present, the emergency notification to the campus community will be issued, if there is a continuing threat to the campus community.

Segment or Segments of the Campus Community to Receive an Emergency Notification

University Police will share information with those preparing the emergency notification to determine what segment or segments of the campus community should receive the notification. Generally, entire Texas A&M University-Kingsville community (Texas A&M University-Kingsville campus, Citrus Center (Weslaco), South Texas College Mid Valley Campus (Weslaco), and Texas State Technical College- MIT-C (Harlingen) and Irma Rangel School of Pharmacy) will be notified when there is at least the potential that a very large segment of the community will be affected by a situation or when a situation threatens the operation of the campus as a whole. The university will continue to assess the situation and additional segments of the campus community may be notified if the situation warrants.

The University Police Department will notify/coordinate response efforts with local enforcement authorities and other outside emergency personnel. The Director of Public Safety/Chief of Police or designee is responsible for disseminating emergency information to the public.
Faculty, staff and students at Texas A&M University San Antonio will find information on emergency notifications in the Annual Security Report attached to this report. The JagE Alert System may be initiated for notification at Texas A&M University San Antonio.

Contents of the Emergency Notification Procedures Used to Notify the Campus Community
The University Police shares responsibility with other campus divisions and departments for issuing emergency notifications and determining the contents of the notifications. UPD has developed a wide range of template messages addressing several different emergency situations. The individual authorizing the alert will select the template message most appropriate to the ongoing situation and modify it to address the specifics of the present incident. In those cases where there are no predetermined template messages in the system, the individual authorizing the alert will develop a message to convey the appropriate information to the community. Messages are designed to convey the nature of the emergency and response actions that should be taken to protect life, property, and the environment.

Emergency Response and Evacuation Policy
Emergency Response
Notify University Police (361-593-2611) or local police at 9-1-1 in case of emergency. All members of the campus community are notified on an annual basis that they are required to notify the University Police Department or local emergency services of any situation that involves a significant emergency or danger that may pose an immediate or ongoing threat to the health and safety of the campus community.

Procedures Used to Notify the Campus Community
When the University Police Department receives notification of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the Texas A&M University-Kingsville campus, first responders will confirm the emergency/threat. If the emergency warrants, the UPD supervisor shall communicate immediately with the chief of police or designee; and depending on the magnitude of the incident, the Emergency Management Team chair or alternate who will communicate with the president.

Depending on the emergency the Emergency Management Team will execute the emergency management plan for emergency at hand. The university community will be notified using Tier I and Tier II communication systems via:
- SMS text message,
- Email,
- Telephone calls to registered users (home office and cell phones),
- Outdoor warning sirens and public address messages, or
- Scroll messages in campus buildings

In those instances take appropriate action to evacuate the area and to ensure your safety and give protection to those around you that may need assistance.

The Emergency Management Team chair or designee, shall, consistent with university’s Emergency Management Plan, authorize immediate notification to the university community following confirmation of the threat, unless that notification is delayed for as short a time as possible, if there is a professional determination by law enforcement that issuing a notice would put the university community at greater risk. The content of the notification will be generic in nature to maintain campus safety while responding to, containing, and/or rendering aid or assistance to victims.

Emergency Management Team Members
Members of the University’s Emergency Management Team include the following:
- Senior Vice President for Student Affairs, Enrollment Management and University Administration. Serves as the chair of the Emergency Management Team
- Executive Director, Enterprise Risk Management
• Director of Public Safety/Chief of Police
• Director, University Facilities Planning and Construction
• Executive Director, Physical Plant
• Manager, Environmental Health & Safety
• Chief Information Officer
• Assistant Vice President of Student Affairs/Dean of Students
• Communications Specialist
• Executive Director, University Housing & Residence Life
• Director, Center for Life Service & Wellness
• Associate Dean of Students
• Executive Director, Human Resources
• Assistant Dean for Finance and Administration (College of Pharmacy)
• Executive Director, Marketing And Communications
• Academy High School Principal
• Associate Vice President for Academic Affairs

Depending upon the situation, however, other university personnel will be involved in carrying out the university’s emergency response efforts.

**Campus Evacuation**
The president or designee will authorize university evacuation orders. An announcement of a campus-wide evacuation will come from the Office of the President or the Emergency Management Team. Students and employees should follow the instructions and timeline for leaving the campus and alert others to do the same. Information about returning to the campus will be provided through Tier I and Tier II, the personnel recall process for employees and press releases through the news media outlets.

**Building Evacuation**
An evacuation will occur when the fire alarm sounds and/or notification is made by the University Police Department, Emergency Management Team, the building emergency managers acting under the instructions of these offices, the Kingsville Fire Department, or the Kingsville Police Department.

All persons (students, employees and campus visitors) are to immediately vacate the area in question, leaving by the nearest marked exit or in accordance with the posted evacuation plan and alert others to do the same. Once outside, proceed to the designated building assembly area. Personnel shall not return to an evacuated building until given the all clear signal by Texas A&M University - Kingsville officials.

Annually, one or more buildings are selected at random, an emergency is declared within or in the vicinity of, evacuation procedures are executed. The drill is critiqued and an After Action Report (AAR) is generated. The AAR will be retained for a minimum of (2) two years.
CAMPUS EVACUATION MAP QUADRANTS

For more information on evacuation routes for the campus, “Control Click” to follow links for detailed evacuation routes for each campus building: http://ppo.tamuk.edu/ehs/Fire_Brochure/Fire_Escape_Routes.htm

Fire Evacuation Routes

“Control click” on each quadrant below to find evacuation routes and assembly areas (are depicted with a figure and circle) for each building in the quadrant:

- **Quadrant 1** [http://www.tamuk.edu/finance/risk/ehs/Fire_Brochure/Fire%20Escape%20Routes/Quad1.jpg](http://www.tamuk.edu/finance/risk/ehs/Fire_Brochure/Fire%20Escape%20Routes/Quad1.jpg)
- **Quadrant 2** [http://www.tamuk.edu/finance/risk/ehs/Fire_Brochure/Fire%20Escape%20Routes/Quad2.jpg](http://www.tamuk.edu/finance/risk/ehs/Fire_Brochure/Fire%20Escape%20Routes/Quad2.jpg)
- **Quadrant 3** [http://www.tamuk.edu/finance/risk/ehs/Fire_Brochure/Fire%20Escape%20Routes/Quad3.jpg](http://www.tamuk.edu/finance/risk/ehs/Fire_Brochure/Fire%20Escape%20Routes/Quad3.jpg)
- **Quadrant 4** [http://www.tamuk.edu/finance/risk/ehs/Fire_Brochure/Fire%20Escape%20Routes/Quad4.jpg](http://www.tamuk.edu/finance/risk/ehs/Fire_Brochure/Fire%20Escape%20Routes/Quad4.jpg)
Drills, Exercises and Training

Evacuation drills, (tornado, fire drills exercises) are coordinated by the Office of Risk Management, Environmental Health and Safety Office and University Housing and Residential Life each fall, spring and summer semesters for all residential facilities at Texas A&M University-Kingsville. The emergency evacuation procedures for each residential unit (Lucio Hall,Mesquite Village - West, Lewis Hall, Turner Hall, Bishop Hall, Martin Hall and Lynch Hall) and academic and auxiliary buildings are tested on average at least twice each semester, once in each of the summer session for total of 4 drills per housing residential unit (see page 100 for detailed information). University Housing and Residential Life conducts announced and unannounced drills. Students become familiar with the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. University Housing and Residence Life does not inform residents in advance about the designated long-term evacuations because those decisions are affected by the time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In all cases, UPD, Risk Management, Environmental Health and Safety, University Housing and Residence Life staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes. The purpose of the drills is to prepare building occupants for an organized evacuation in cases of an emergency. Evacuation drills are used as a way to educate and train occupants on issues specific to their facility. During the drill, occupants “practice” drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. All occupants are instructed that in the cases where fire alarms are activated they must evacuate the building immediately. In addition to educating the occupants of each building about the evacuation procedures during the drills, the process also provides the University an opportunity to test the operation of the fire alarm system components. Any deficient equipment is noted so that appropriate repairs can be performed. Students receive emergency information and procedures during their hall meetings. Additionally, students are provided with educational materials entitled “Have an Exit Strategy” developed by the Texas State Fire Marshal’s Office.

The Texas A&M University-Kingsville Emergency Management Plan (EMP) describes the responsibilities and duties of campus personnel, departments, in event of an emergency or dangerous situation involving an immediate threat. The EMP is designed to assist employees to respond appropriately when emergency conditions exist. To ensure emergency plans are appropriate, the university conducts emergency response exercises annually. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution.
Faculty, staff and students who fail to evacuate during a drill or actual event will be reported to the appropriate university official for possible disciplinary action for unsafe practices.

**Fire Drills**
Fire drills are also conducted each semester to ensure students understand emergency building evacuation procedures. Students must evacuate the building whenever an alarm sounds. Students who ignore evacuation instruction may be subject to conduct proceedings. The University Housing and Residence Life department schedules 4 or more fire drills for each housing unit, per academic year, usually 2 each semester (1 announced & 1 unannounced).

**Emergency Exercises**
The university conducts tabletop, functional, and/or full-scale emergency exercises with the various university departments, the university’s Emergency Management Team and community partners. These exercises are designed to prepare university personnel to respond to various emergencies that may occur on campus, recover from emergencies as quickly as possible, and provide the appropriate support to students, employees, and university operations.

**Police Daily Crime Log and Fire Log**
The University Police Department provides a daily crime log and a fire log for all reported fires that occur in on-campus housing facilities for the previous 60 day period. The log includes the date and time the crime occurred, general location and disposition of the complaint, if known. These logs are available to any member of the public upon request. Any portion of the log older than 60 days will be made available within two business days of a request for public inspection.

An electronic version of the combined Daily Crime and Fire Logs are posted on University Police’s website: [http://www.tamuk.edu/finance/upd/](http://www.tamuk.edu/finance/upd/) and are available within two business days of receiving a report, and is also made available, in hard-copy format, to walk-in customers from the University Police Department’s Office located at 825 W. Santa Gertrudis Avenue. The UPD Office is open to the public 365 days a year.

**Security and Access to Campus Facilities**

**Campus Buildings and Grounds:** Buildings on the Texas A&M University-Kingsville campus remain open only through the completion of the last scheduled event. A daily schedule is provided to the physical plant and buildings are locked on the basis of that schedule. Only employees with maintenance responsibilities for those buildings have access after buildings are locked. Other personnel seeking access after-hours must obtain advance written approval through their administrative chain of command. University police officers have access to all buildings on campus to provide access after-hours in case of an emergency or other special circumstance after-hours, call 361-593-2611 for assistance.

The Physical Plant maintains the university buildings and grounds with concern for security and safety. Campus facilities and grounds are inspected on a regular basis to ensure that broken windows, locks and repairs are made in an expeditious manner. The University Police Department also receives information from the campus community regarding damaged roadways, overgrowth of shrubbery and other areas in need of repair. This information is forwarded to the Physical Plant in a timely manner.

Texas A&M University-Kingsville is committed to campus safety and security. Exterior lighting and landscape control is a critical part of that commitment. Representatives from various departments continually conduct security surveys to ensure campus lighting is adequate and that the landscape is appropriately controlled. University police officers conduct routine checks of lighting on campus during regularly assigned patrol duties, when they observe lights that are out or dim, officers will contact the dispatcher to initiate a work order which is acted upon by a representative of the appropriate maintenance office, usually within 24 hours or the next business day, to correct the problem. Once a month officers conduct a complete canvas of the University campus noting any malfunctioning lights using a schematic provided by Support Services, the form is delivered to them for appropriate action and repairs. We encourage
community members to report any deficiencies in lighting to the Physical Plant, 361-593-3312, or the University Police Department, 361-593-2611. Any community member who has a concern about physical security should contact the department at 361-593-2611.

Lighting surveys are conducted and improvements made, as necessary, in various locations on campus. Anyone aware of a hazardous situation in any building or on the campus grounds should notify Physical Plant (361-593-3312) or University Police Department (361-593-2611) so repairs can be made promptly.

The department and representatives from the Physical Plant lock shop work together to identify inoperative locking mechanisms. We encourage community members to promptly report any locking mechanism deficiency to the Physical Plant at 361-593-3312 or the University Police Department at 361-593-2611.

Maintenance staff is available to respond to calls for service regarding unsafe facility conditions or for personal safety and property protection. These conditions also may include unsafe steps or handrails, unsafe roadways on campus, and unsecured equipment, call the University Police Department, 361-593-2611. The Physical Plant personnel will place safety notices in construction zones and other hazardous areas.

**Residence Halls:** Access to the residence halls is restricted to residents, their guests, university personnel and authorized visitors. Identification cards are coded so that only students who are residents in a particular hall are authorized electronic access entry to that hall; the system denies entry to all unauthorized persons. Hall residents may enter their building using their university ID card. Each hall has specific doors designated for normal entry which are equipped with card access readers.

All other doors in the building remain closed at all times and are to be used only in an emergency evacuation. All exterior doors are monitored with security cameras. A resident must accompany his/her guests at all times. Crime prevention programs include hall orientation sessions, individual floor meetings, residential community-wide presentations and educational programs offered in conjunction with the university housing and residence life staff, Student Health and Wellness Services and/or UPD. Residents are reminded to keep their student room doors locked at all times, observe building security procedures and to notify university housing and residence life staff or the University Police Department (361-593-2611) of any suspicious activity within the residence halls.

Professional area coordinators and student resident advisors, who are all members of the university housing and residence life staff, live on campus and provide 24-hour, on-call staff coverage. Residence hall staff undergoes comprehensive training each semester for both prevention and response regarding safety and security issues.

Student and professional staff participate in lectures and seminars associated with topics such as substance abuse, prevention of sexual assault, response to crisis situations and community security issues.

Additional information is contained in the University Housing and Residence Life Guidebook available through the Office of University Housing and Residence Life.

**Campus Lighting Checks**

UPD officers complete campus lighting checks regularly. The Physical Plant is notified when there are burned out or damaged street and building lights. This inspection ensures adequate lighting for the public at night on the university campus. The department also submits a monthly lighting report to the Physical Plant that indicates which campus lights that are malfunctioning or need repair. The UPD also coordinates with other members of the university community, student organizations and class projects, in periodic lighting tours. Together, students and staff tour the campus in small groups—after dark—to look for any lighting issues, obstacles, and other items that could impede someone’s safety on the campus. After the tour, notes are collected, compiled, and shared with attendees and forwarded to the appropriate
departments. As a result, lights are repaired, bulbs are changed, and improvements made to make campus a safer environment for the campus community.

**Emergency Telephones and Security Cameras**
The University has installed emergency two-way call boxes (blue light phones) throughout campus for use during emergencies. By pressing the red button on the stations, users can communicate directly with our Dispatchers. The location of the station is digitally displayed to the tele-communications officer. The campus community can also take advantage of the university’s Rave Guardian app, which is called JavGuard, to communicate directly with University police or 911 operator, send text or photographic information to the University police about crimes, numerous incidents or request police assistance, or set a timer to notify people you trust to check on you when you are alone or in an unfamiliar place.

**Security Awareness and Crime Prevention Programs**
During orientation activities held for new students, students are informed of services offered by the University Police Department. The Clery Compliance Report details crime statistics and recommended practices for personal safety and residence hall security. Similar information is presented to new employees.

Periodically during the academic year, the University Police Department, in cooperation with other university organizations and departments, presents crime prevention awareness sessions on such topics as sexual assault (rape and acquaintance rape), illicit drug use and dangers, theft, vandalism, personal safety and residence hall security.

The University Police Department, in cooperation with other university organizations and departments, offers security awareness and crime prevention programs to the campus community on an ongoing basis. A common theme of the awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and to be concerned for the security of others. These programs aim to eliminate or reduce incidents of domestic violence, dating violence, sexual assault, and stalking.

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<tr>
<th>Date</th>
<th>Location</th>
<th>Topic</th>
<th>Prohibited behavior covered</th>
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<tbody>
<tr>
<td>February 12, 2014</td>
<td>MSUB</td>
<td>Shots Fired Presentation</td>
<td>Personal Safety</td>
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<tr>
<td>June 9 &amp; 10, 2014</td>
<td>MSUB</td>
<td>Hoggie Day Presentation</td>
<td>DoV, DaV, SA, S</td>
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<td>June 16 &amp; 17, 2014</td>
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<td>August 4, 2014</td>
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<tr>
<td>University assisted campus community partners</td>
<td>Campus</td>
<td>See page 40 of this report</td>
<td>Drugs and Alcohol</td>
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</tbody>
</table>

DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

In addition to seminars, information is disseminated to students and employees through crime prevention awareness packets, displays, videos, security alert posters and articles and advertisements on the university’s website and in *The South Texan* student newspaper.

**For Students**
Annually the Texas A&M University-Kingsville police department along with Dean of Students, Compliance Office and other university departments address the students in the athletic program, which includes all university sports, on safety awareness, sexual assault, alcohol and drug awareness, university policies, conduct while travelling and how they represent the university.

For Faculty and Staff
New employee orientation: Bi-weekly; Robbery and personal safety ongoing, Rape Aggression Defense (RAD), active shooter (Shots Fired), Building Emergency Managers (BEM); upon request.

For Campus Community
The University Police Department conducts crime prevention and crime awareness presentations at student orientations and upon request. These presentations include: Alcohol Awareness, RA Presentations, Crime Prevention and Safety, Crime Prevention Tips, Date Rape, Drug Abuse, Hate Crimes, Rape Aggression Defense (RAD) Program, Personal Safety, Safety in the Workplace, Student Orientation, Shots Fired and others.

Alcohol Awareness Programs, Minor in Consumption and Minor in Possession Enforcement, Fatal Vision - DWEyes
UPD uses both a proactive and reactive approach to addressing the problems of underage drinking and drunk driving. Using a proactive approach, police officers go to various segments of the campus community and provide educational programs regarding the problems associated with alcohol abuse and misuse and its relationship to crimes such as drunk driving. In a reactive approach, UPD officers arrest drunk drivers, and cite violators for minor in consumption and minor in possession of alcohol. In addition, the Student Health and Wellness Services provide education on substance use and abuse issues.

University Housing & Residence Life Training
UPD works in conjunction with other university departments and the Texas A&M University-Kingsville University Housing & Residence Life to provide training to the Executive Director University Housing & Residence Life, Director of Residence Life, Associate Director of Residential Education & Living Learning Communities, Assistant Director of Residence Life, Manager, University Housing Business Operations, Assistant Director of Residence Life, Director of University Housing Facilities, and Area Coordinators, Head Residents and Resident Advisors. Topics include campus security authority responsibilities, Title IX, crime prevention, alcohol awareness (including acute alcohol intoxication), safety, security and emergency preparedness.

Active Shooter Response Training
The UPD offers the “Shots Fired, When Lightning Strikes” DVD for all campus personnel, including University Housing and Residential Life, Building Emergency Managers, Student health and Wellness, student, faculty and staff organizations and groups on an on-going basis. The program provides valuable information to instill a survivor mindset and teach realistic strategies for dealing with an active shooter situation.

Rape Aggression Defense (RAD)
UPD has trained and certified RAD instructors that offer sexual assault prevention, education and awareness. The course includes lecture, discussion and self-defense techniques suitable for women of all ages and abilities. Classes range from a minimum of nine to twelve hours plus in length.

University Police Escort
The campus community members can request an escort to their vehicle or to their residence hall when alone at night by contacting police dispatch at 361-593-2611. Transportation will be provided based on the availability of patrol officers.
DWEyes
UPD, in conjunction with other university departments and outside agencies, demonstrates with the use of Fatal Vision goggles, in varying degrees of perceived intoxication, what one might experience being intoxicated and operating a motor-vehicle or performing motor skill activities while under the influence of intoxicants. This is an ongoing program.

Crimestoppers
In conjunction with the City of Kingsville Crimestoppers organization and Student Government Association, Criminology Club and others, this program offers cash rewards for information on crime that may lead to arrests or indictments of criminal activity on campus.

Hoggie Days
UPD presents to incoming students and their parents safety awareness, services offered by the police department and general information about weapons, parking issues, alcohol and drug policies.

Operation Identification (ID)
Police can help students engrave unique identifiers on personal items kept on campus, such as bikes, computers, radios, and stereo systems. This nationally recognized identification procedure has been shown to facilitate the recovery of stolen items. UPD suggests keeping a record of serial numbers and unique identifiers, and taking photos of valuable items kept on campus to aid in identification and recovery.

International Student Orientation
The UPD and other university departments conduct orientation for new incoming international students. The orientation includes information on safety awareness, services offered by the police department and general information about weapons, parking issues, alcohol and drug policies, immigration issues concerning I-20’s, possible scam or threats they may encounter.

Personal Safety Training: Staff from Health and Wellness Services is available for seminars concerning personal safety for women (361-593-3991).

Safety Awareness Resources: Brochures are available through the University Police Department, which provide additional information and training. Student Health and Wellness Services has a brochure on rape prevention and another on acquaintance rape. The university’s Emergency Management Plan is available to the campus community through the Office of Environmental Health and Safety and on the web: http://www.tamuk.edu/finance/risk/Safety/Emergency%20Management%20Plan.pdf with information concerning procedures for emergency evacuation, responding to fire, earthquake, hurricanes, serious injury, bomb threat, hazardous material leaks and violent crimes.

Sexual Assault Prevention Programs: The Texas A&M University - Kingsville Police Department provides educational programs to prevent sexual assault and to increase student awareness to circumstances which could lead to sexual assault. These educational programs include: Date Rape, Drug Abuse, Hate Crimes, RAD Program, and Personal Safety.

University Shuttle Service: The University operates a shuttle service, B&G Express, with continuous shuttle service for the Texas A&M University-Kingsville campus from 7 a.m. to Midnight; shuttle services from the west side of the Student Union Building to a variety of locations in the City of Kingsville from 2 p.m. to 8 p.m.; free weekend and evening excursions for students to cultural and entertaining venues: and, pre-arranged trips to the Corpus Christi airport and local Greyhound bus station for a small fee. More information can be obtained on the website: http://www.tamuk.edu/bgexpress/.
University Police Escort: The campus community members can request an escort to their vehicle or to their residence hall when alone at night by contacting police dispatch at 361-593-2611. Transportation will be provided based on the availability of patrol officers.

Emergency Phones: A total of 18 emergency telephones are located throughout the campus. The University Police Department can be quickly accessed by pushing one button or dialing 9-1-1 depending on the phone being utilized. The location of each phone is pinpointed on the campus map on the inside back cover of this report.

Personal Safety Tips
The safety and well-being of our students, faculty, staff, and visitors will always be a primary institutional goal at Texas A&M University-Kingsville. The UPD can help you protect yourself and your property by reducing the possibility of being victimized. As a member of the university community, you can help in reducing the potential for criminal activity.

The university’s safety and security measures are designed to address every area of campus life, but a safe environment also depends on the awareness and cooperation of individual campus community members.

Here are some common-sense steps you can take for personal safety and loss prevention:

General:
- Remember to call 9-1-1 in case of an emergency
- Know the non-emergency phone number of the Texas A&M University – Kingsville Police: 361-593-2611, program it into your cell phone.
- Notify University Police or a university employee of any individual who appears not to have legitimate business on campus or whose actions arouse suspicion or concern.
- Remain alert, pay attention to your surroundings, and avoid listening to musical devices such as an iPod to make it more difficult to be taken by surprise.
- When traversing the campus at night, stay within well-lit walkways.
- Never prop doors open, even for a short time.
- Park in well-lighted areas, and check the inside of your vehicle before entering it.
- Although the campuses are considered safe, students and staff are encouraged to walk in pairs or groups after dark. Students may request a security escort by calling UPD at 361-593-2611.
- Utilize the Rave Guardian, known as JavGuard, mobile application.

Walking:
- Have a plan, be aware of your surroundings, and walk with confidence
- Walk with a friend whenever possible
- Avoid dark areas, high shrubbery, and shortcuts: stay in well lighted areas
- Try to walk facing oncoming traffic
- Cross streets using marked crosswalks or at intersections
- Use sidewalks
- Maintain a secure grip on purses and personal items
- Keep your cell phone at the ready
- Program the UPD telephone number (361-593-2611) in your cell/smart phone
- Familiarize yourself with the emergency call box locations on campus
- Be wary of newly acquired acquaintances
- Don’t reveal personal information to new found friends
Residence Halls:
- Never give your key or university ID to anyone
- Never open your door to strangers
- Never leave your door open or unlocked, even for a short period of time, when no one is in your room
- Keep all laptops, electronics, jewelry, and expensive items out of sight
- Request I.D. from people you don’t know.
- Close your blinds or shades after dark
- Never “prop” the entrance doors to the residence halls
- Never let anyone “piggyback” into the residence halls when you swipe in
- Don’t leave keys under the door mat or in other “hiding places” and don’t leave notes

Laundry room:
- Be cautious
- Try to never be in the laundry room alone
- Remove clothes promptly from washers and dryers
- Consider folding your clothes in your room

To prevent theft and help in the recovery of stolen property:
- Engrave personal property such as computers, televisions, and stereos
- Record all serial numbers of property and maintain a receipt of purchase in a safe, secure place
- Take photographs of all expensive items. These photographs can assist in proving ownership in the event of a fire or a theft. Keep these photographs in a safe, secure place.

University’s Alcohol and Drug Policy
The university recognizes alcohol/drug dependency as an illness and a major health problem. Excessive use of alcohol and other drugs is a serious health problem in itself, but alcohol and drug abuse also can contribute to a host of other physical and mental health problems such as complications in pregnancy, violent behavior, HIV infection and other sexually transmitted diseases, psychological depression, hallucinations and death. Information, assessment and referral services for alcohol or drug-related problems are available on campus. Services for students are available at Student Health and Wellness Services. Services for employees are available through the university’s human resources office.

University Disciplinary Process for Alcohol and Drugs
University disciplinary charges may be pursued against faculty, staff and students alleged to have violated university regulations and/or local, state and federal laws concerning alcohol and/or controlled substances. Violations of any local, state or federal law pertaining to alcohol and/or controlled substances that occur off campus and are not associated with a university-connected activity may result in disciplinary charges in situations in which the continued presence of the individual on campus is likely to interfere with the educational process and the orderly operation of the university. University disciplinary proceedings will be in accordance with procedures outlined in the Student Code of Conduct and university policy (faculty and staff). Voluntary admission to a substance abuse treatment program prior to the issuance of charges may be looked upon favorably in disciplinary cases. Disciplinary action in cases involving serious alcohol and/or drug-related violations will result in suspension, dismissal or expulsion from the university, depending on the nature and seriousness of the case. Participation in a substance abuse education or treatment program may be required in addition to other sanctions. Any disciplinary action imposed by the university may precede and be in addition to any penalty imposed by an off-campus authority.
Alcohol
In compliance with the Drug Free Schools and Campuses Regulations (34CFR, Part 86) of the Drug Free Schools and Communications Act (DFSCA), and the Higher Education Act (Section 120A), A&M-Kingsville recognizes that the abuse of alcohol and other drugs is a threat to the mission of this institution and to the members of this university community.

Texas A&M University-Kingsville prohibits the unlawful or unauthorized manufacture, distribution, dispensation, possession, use, or sale of alcoholic beverages, controlled substances, and illegal drugs on campus. The impairment by alcohol or drugs of any student or employee while participating in an academic function, or of employees when reporting for work or engaging in work – during normal work hours or other times when required to be at work – is also prohibited. The use of alcoholic beverages by members of Texas A&M University-Kingsville community is at all times subject to the alcoholic beverage laws of the State of Texas. Individuals must be at least 21 years old to purchase, possess or consume alcoholic beverages. Violators are subject to university discipline, criminal prosecution and removal from university housing.

On-campus use of alcohol is limited to certain approved events and locations covered by the guidelines of Texas A&M University-Kingsville’s official policy on alcohol and other drugs.

The Texas Alcoholic and Beverage Code and University policy prohibit the use of alcohol by a minor, someone under 21 years of age. Violations include, but are not limited to:
- Purchase of Alcohol by a Minor: A minor purchases an alcoholic beverage.
- Attempt to Purchase Alcohol by a Minor: A minor does an act amounting to more than mere preparation that tends but fails to effect the commission of the offense intended.
- Consumption of Alcohol by a Minor: A minor consumes an alcoholic beverage.
- Possession of Alcohol by a Minor: A minor possesses an alcoholic beverage.
- Purchase of Alcohol for a Minor; Furnishing Alcohol to a Minor: A person purchases an alcoholic beverage for or gives or makes available an alcoholic beverage to a minor with criminal negligence.
- Misrepresentation of Age by a Minor: A minor falsely states that he is 21 years of age or older or presents any document that indicates he is 21 years of age or older to a person engaged in selling or serving alcoholic beverages.

Punishment for Alcohol-Related Offenses by Minor
Punishment for persons found guilty of alcohol related offenses may include:
- a fine of not less than $250 or more than $2,000;
- confinement in jail for a term not to exceed 180 days; or
- both the fine and confinement.

In addition to any fine and any order issued, the court shall order a minor placed on deferred disposition for or convicted of an offense to which this section applies to perform community service for:
- not less than eight or more than 12 hours, if the minor has not been previously convicted of an offense to which this section applies; or
- not less than 20 or more than 40 hours, if the minor has been previously convicted once of an offense to which this section applies; and
- the court shall order the Department of Public Safety to suspend the driver's license or permit of a minor convicted of an offense to which this section applies or, if the minor does not have a driver's license or permit, to deny the issuance of a driver's license or permit for:
  - 30 days, if the minor has not been previously convicted of an offense to which this section applies;
  - 60 days, if the minor has been previously convicted once of an offense to which this section applies; or
  - 180 days, if the minor has been previously convicted twice or more of an offense to which this section
Community service ordered under this section must be related to education about or prevention of misuse of alcohol if programs or services providing that education are available in the community in which the court is located. If programs or services providing that education are not available, the court may order community service that it considers appropriate for rehabilitative purposes.

Carson Starkey Amnesty Policy
The safety and health of university students is a primary concern at Texas A&M University-Kingsville. As such, any student can seek assistance from the University Police (361-593-2611) for themselves or others who are intoxicated or drug-impaired. Texas statutes provide that a person may not be cited for illegal possession or consumption of alcoholic beverages if the individual:

- requested emergency medical assistance in response to the possible alcohol overdose of the minor or another person;
- was the first person to make a request for medical assistance; and
- if the minor requested emergency medical assistance for the possible alcohol overdose of another person:
  - remained on the scene until the medical assistance arrived; and
  - cooperated with medical assistance and law enforcement personnel.

A complete description of these regulations is contained in the University’s Alcohol Policy and Drug Policy. This policy can be located in the student handbook or at the Dean of Students website: http://www.tamuk.edu/dean/dean_files/studenthandbook.pdf

Drugs
Texas A&M University-Kingsville strives to assist students in achieving their potential as human beings and in becoming self-directed in all activities. Because growth and development are shaped by a student’s experience, the university seeks to develop an environment where students can learn how to live fulfilling and productive lives. Substance abuse disrupts this environment and threatens not only the lives and well-being of our students, faculty and staff but also their potential for contribution to society. It is important for all members of the university community to take responsibility for preventing substance abuse from negatively affecting the community’s learning environment and the academic, physical and emotional well-being of its membership. In recognition of the problems of substance abuse, members of the university community have developed a university-wide drug policy. These policies deal with education, prevention, intervention and treatment activities as well as disciplinary sanctions for those found in violation of the policy. The university has established comprehensive substance abuse prevention programs to help eliminate the threat that substance abuse poses. Through education, the university is committed to helping individuals achieve their personal and academic goals.

Legal Aspects and Consequences Concerning Controlled Substances and Illegal Drugs
All members of the university community are expected to abide by local, state and federal laws pertaining to controlled substances and illegal drugs. More specifically, the Texas A&M University-Kingsville Student Code of Conduct prohibits “manufacturing, possessing, having under control, selling, transmitting, using or being party thereto any illegal drug, controlled substance or drug paraphernalia on university premises or at university-sponsored activities.” The term “controlled substances,” when used in this policy, shall refer to those drugs and substances whose possession, sale or delivery results in criminal sanctions under the Texas Controlled Substance Act (Texas Civil Statutes, Article 4476-15), as well as substances that possess a chemical structure similar to that of a controlled substance (e.g., “designer drugs”).

Education, Prevention and Referral for Treatment
Texas A&M University-Kingsville is committed to providing comprehensive drug education and prevention as well as early intervention and treatment referral services. Student Health and Wellness provides a broad-based educational program to assist in the prevention of substance abuse. The university realizes the importance of treatment services in
assisting faculty, staff and students to overcome substance abuse problems. Assessment and intervention services are available through Student Health and Wellness. If further treatment is necessary, the student may be referred to outside counselors and programs.

**Controlled Substance Laws and Sanctions**
The following summary is provided for your information. Controlled substances are classified under the Controlled Substances Act into “schedules” that indicate their relative medicinal use and probability of abuse and dependence (addiction), for more information see the Texas Health and Safety Code, Chapter 481, Controlled Substance Act.

**Controlled Substance Schedules**
Schedule I: substance that has a high potential for abuse; and has no accepted medical use in treatment in the United States or lacks accepted safety for use in treatment under medical supervision. Some examples are heroin, marijuana, LSD, PCP, and crack cocaine.

Schedule II: substance that has a high potential for abuse; the substance has currently accepted medical use in treatment in the United States; and abuse of the substance may lead to severe psychological or physical dependence. These drugs include certain narcotic, stimulant, and depressant drugs. Some examples are morphine, cocaine, oxycodone (Percodan®), methylphenidate (Ritalin®), and dextroamphetamine (Dexedrine®).

Schedule III: substance has a potential for abuse less than that of the substances listed in Schedules I and II; the substance has currently accepted medical use in treatment in the United States; and abuse of the substance may lead to moderate or low physical dependence or high psychological dependence. These contain smaller amounts of certain narcotic and non-narcotic drugs, anti-anxiety drugs, tranquilizers, sedatives, stimulants, and non-narcotic analgesics. Some examples are acetaminophen with codeine (Tylenol® No.3), paregoric, diazepam (Valium®), alprazolam (Xanax®), propoxyphene (Darvon®), and pentazocine (Talwin®).

Schedule IV: substance has a lower potential for abuse than that of the substances listed in Schedule III; the substance has currently accepted medical use in treatment in the United States; and abuse of the substance may lead to a more limited physical or psychological dependence than that of the substances listed in Schedule III.

Schedule V: substance has a lower potential for abuse than that of the substances listed in Schedule IV; has currently accepted medical use in treatment in the United States; and may lead to a more limited physical or psychological dependence liability than that of the substances listed in Schedule IV.

**Penalties**
Three factors determine offense level for drug possession, the main factors are; (1) the type of drug; (2) the amount; and (3) surrounding aggravating circumstances (such as drug-free zone or possession with intent to deliver.)

Marijuana, usable amount less than 2 ounces, class B misdemeanor; between 2 and for ounces, class A misdemeanor; 4 ounces to 5 pounds, state jail felony; 5 pounds to 50 pounds 3rd degree felony.

Penalty groups 1 and 2, less than 1 gram, state jail felony; between 1 to 4 grams, 3rd degree felony; between 4 to 200 grams, 2nd degree felony.

Penalty groups 3 and 4, less than 28 grams, 3rd degree felony; 28 to 200 grams, 2nd degree felony; 400 grams or more, 1st degree felony.

**Health Risks**
The list below only a partial list of the health risks caused by the misuse or abuse of alcohol or drugs:
Excessive alcohol use poses immediate health risks as well as long-term physical consequences. Consuming too much alcohol—even on a single occasion—can result in injury, violence, risky sexual behaviors, miscarriage and stillbirth among pregnant women, and alcohol poisoning. Long-term, excessive use can lead to the development of chronic diseases, neurological impairments, and social problems. In addition, people risk significant health problems when they use illicit drugs or prescription drugs for recreational purposes.

Stimulants (e.g., cocaine, speed) raise blood pressure, increase the heart rate, and cause rapid breathing. Frequent and long-term stimulant use may cause paranoia, anxiety, hallucinations, insomnia, and depression. Hallucinogens (e.g., LSD, “shrooms”) can result in memory impairment and flashbacks, and have been known to lead to injuries and deaths if the user gets violent or out of control due to a “trip.” Sedatives (e.g., heroin, GHB) can cause memory loss, vertigo, reduced heart rate, seizures, insomnia, anxiety, tremors, and respiratory failure.

Description of Drug and Alcohol Abuse Education Programs
Texas A&M University-Kingsville is committed to providing comprehensive drug education and prevention as well as early intervention and treatment referral services. Student Health and Wellness provides a broad-based educational program to assist in the prevention of substance abuse. The university realizes the importance of treatment services in assisting faculty, staff and students to overcome substance abuse problems. Assessment and intervention services are available through Student Health and Wellness. If further treatment is necessary, the student may be referred to outside counselors and programs.

<table>
<thead>
<tr>
<th>WORKSHOP/EVENT</th>
<th>DATE</th>
<th>TOPIC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mark Sterner – DUI a powerful lesson</td>
<td>March 4, 2014</td>
<td>Alcohol/DUI</td>
</tr>
<tr>
<td>Tropical Temptations  Safe Spring Break</td>
<td>March 5, 2014</td>
<td>Alcohol/Other Drugs/Date Rape Drugs</td>
</tr>
<tr>
<td>Spring Fling</td>
<td>April 2, 2014</td>
<td>Impaired Driving</td>
</tr>
<tr>
<td>Fun in the Sun . . . Health Expo</td>
<td>April 2014</td>
<td>Impaired Driving</td>
</tr>
<tr>
<td>Stress-Free Zone</td>
<td>April 28, 2014</td>
<td>Drugs/Non-medical use of prescribed drugs</td>
</tr>
<tr>
<td>Healthy Javelina (Javelina Camp)</td>
<td>August 18, 2014</td>
<td>Alcohol/Other Drugs</td>
</tr>
<tr>
<td>Javelina Healthfest</td>
<td>September 10, 2014</td>
<td>Know your limits – Binge Drinking</td>
</tr>
<tr>
<td>SOBER Spirits – Homecoming Kick-off</td>
<td>October 13, 2014</td>
<td>You call the shots – Binge drinking</td>
</tr>
<tr>
<td>OkSOBERfest</td>
<td>October 30, 2014</td>
<td>Impaired driving and binge drinking</td>
</tr>
<tr>
<td>Stress-Free Zone</td>
<td>December 1, 2014</td>
<td>National 3 “D” – drugs drugged driving</td>
</tr>
</tbody>
</table>

Sexual Assault Prevention and Response
Programs to Prevent Sexual Violence
All members of the campus community should be aware that sexual assaults, including date or acquaintance rape, are prohibited by state laws, system policies and university rules. Texas A&M University-Kingsville prohibits sexual violence, which includes the crimes of dating violence, domestic violence, sexual assault, and stalking. The university is
committed to increasing the awareness of and preventing sexual violence. All incoming students and new employees are provided with programming and strategies intended to prevent sexual assault (rape, acquaintance rape, sexual assault), domestic violence, dating violence, and stalking before it occurs. The University Police Department offers sexual assault education and information programs to university students and employees upon request. Literature on date rape education, risk reduction and university response measures is available through University Housing and Residence Life, Student Health and Wellness Services and the Title IX Coordinator.

Texas A&M University Kingsville prohibits sexual violence, which includes the crimes of dating violence, domestic violence, sexual assault, and stalking. The University is committed to increasing the awareness of and preventing sexual violence. All incoming students and new employees are provided with programming and strategies intended to prevent rape, acquaintance rape, sexual assault, domestic violence, dating violence, and stalking before it occurs.

**Sexual Harassment/Sexual Assault Prevention Programs**

Awareness programs are 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.

<table>
<thead>
<tr>
<th>Date</th>
<th>Audience</th>
<th>Topic(s) covered</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st business day of the month and 2nd Monday</td>
<td>New Employees</td>
<td>Non-discrimination, including sexual misconduct</td>
</tr>
<tr>
<td>8/22/2014</td>
<td>College of Business staff &amp; faculty</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
</tr>
<tr>
<td>8/20/2014</td>
<td>RA training</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
</tr>
<tr>
<td>8/21/2014</td>
<td>College of Education and Human Performance faculty and staff</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
</tr>
<tr>
<td>8/21/2014</td>
<td>College of Agriculture faculty and staff</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
</tr>
<tr>
<td>8/27/2014</td>
<td>Student Athletes</td>
<td>Sexual Misconduct definitions (including consent, sexual harassment, sexual assault), bystander intervention tips, university process of handling student sexual misconduct complaints</td>
</tr>
<tr>
<td>9/4/2014</td>
<td>President's Council</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
</tr>
<tr>
<td>Date</td>
<td>Department/Staff</td>
<td>Overview</td>
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<tr>
<td>9/8/2014</td>
<td>Men's Basketball team</td>
<td>Student conduct policies related to sexual misconduct, applicable definitions/concepts.</td>
</tr>
<tr>
<td>9/10/2014</td>
<td>Office of Institutional Research</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
</tr>
<tr>
<td>9/10/2014</td>
<td>iTech staff</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
</tr>
<tr>
<td>9/11/2014</td>
<td>Student Access staff</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
</tr>
<tr>
<td>9/15/2014</td>
<td>TAMUK Foundation/Alumni staff</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
</tr>
<tr>
<td>9/15/2014</td>
<td>Division of Enrollment Mgmt. staff</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
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<tr>
<td>9/17/2014</td>
<td>Division of Finance and Student affairs staff</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
</tr>
<tr>
<td>9/17/2014</td>
<td>Graduate Studies and ORSP staff</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
</tr>
<tr>
<td>9/9/2014</td>
<td>Finance and Budget staff</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
</tr>
<tr>
<td>9/22/2014</td>
<td>Division of Finance and Student affairs staff</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
</tr>
<tr>
<td>9/22/2014</td>
<td>College of Arts &amp; Sciences staff and faculty</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
</tr>
<tr>
<td>9/25/2015</td>
<td>Athletics &amp; Campus Recreation Department Staff</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
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<tr>
<td>Date</td>
<td>Group/Department</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
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<tr>
<td>9/25/2014</td>
<td>iTech staff</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
</tr>
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<td>9/26/2014</td>
<td>Student Success staff</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
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<tr>
<td>9/30/2014</td>
<td>Academic Advisors</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
</tr>
<tr>
<td>10/1/2014</td>
<td>College of Arts &amp; Sciences staff and faculty</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
</tr>
<tr>
<td>10/2/2014</td>
<td>Division of Enrollment Mgmt. staff</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
</tr>
<tr>
<td>10/2/2014</td>
<td>College of Arts &amp; Sciences staff and faculty</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
</tr>
<tr>
<td>10/10/2014</td>
<td>College of Agriculture faculty and staff</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
</tr>
<tr>
<td>10/17/2014</td>
<td>Library staff and faculty</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
</tr>
<tr>
<td>10/18/2014</td>
<td>Library staff and faculty</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
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<tr>
<td>11/7/2014</td>
<td>CKWRI Graduate students</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
</tr>
<tr>
<td>11/7/2014</td>
<td>Student Health and Wellness Staff</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
</tr>
</tbody>
</table>
Adjudicators and all those involved in process (including administrators who hear appeals) Done by TAASA/Women’s Shelter of South Texas and Compliance Office

Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process & procedure, prevention strategies. Also other requirements of OCR--trauma informed investigations, credibility assessment, same sex-sexual violence, handling sexual violence complaints, confidentiality, etc.

Enrollment Management & Human Resources staff

Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process & procedure, prevention strategies

College of Engineering staff and faculty

Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process & procedure, prevention strategies

College of Engineering staff and faculty

Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process & procedure, prevention strategies

Ongoing and Primary Prevention and Awareness Campaigns

Ongoing prevention and awareness events feature 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 and including information described in the university’s most recent Annual Security Report.

Primary Prevention Programs focus on programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

Ongoing prevention and awareness campaigns are also offered throughout the year. These programs include:

<table>
<thead>
<tr>
<th>EVENT/WORKSHOP</th>
<th>DATE</th>
<th>ITEMS ADDRESSED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Walk A Mile in Her Shoes</td>
<td>April 23, 2014</td>
<td>Students uniting to End Gender Violence and Resources available both on and off campus</td>
</tr>
<tr>
<td>Take Back the Night</td>
<td>April 23, 2014</td>
<td>Students uniting to take back the night. Activities included Speakers, Open Mic, Resources, and Candlelight Vigil.</td>
</tr>
<tr>
<td>EVENT</td>
<td>DATE</td>
<td>GUEST SPEAKER FOR EVENT</td>
</tr>
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</tr>
<tr>
<td>Javelina Camp</td>
<td>August 18, 2014</td>
<td>“Title IX Nine Things Javelinas Should Know”; Consent is Sexy</td>
</tr>
<tr>
<td>Welcome Week</td>
<td>August 25-26, 2014</td>
<td>“Title IX Nine Things Javelinas Should Know”; Consent is Sexy</td>
</tr>
<tr>
<td>Sober Spirits Homecoming Kick-Off</td>
<td>October 13, 2014</td>
<td>Safe Sex Kits - Promoting Message Got Consent?</td>
</tr>
<tr>
<td>Breastoberfest – Residence Life Event</td>
<td>October 22, 2014</td>
<td>Gender Bullying - Bystander Intervention – STEP UP Javelinas!</td>
</tr>
<tr>
<td>Stress Free-Zone</td>
<td>December 1, 2014</td>
<td>Gender Bullying - Bystander Intervention – STEP UP Javelinas!</td>
</tr>
<tr>
<td>PEP Talk – Returning members</td>
<td>September 22, 2014</td>
<td>“Title IX - Nine Things Javelinas Should Know”; Consent is Sexy (Sexual Misconduct university rule); STEP – UP Javelinas</td>
</tr>
<tr>
<td>PEP Talk – New Member Retreat</td>
<td>September 26, 2014</td>
<td>“Title IX Nine Things Javelinas Should Know”; Consent is Sexy – Poster Presentation (Sexual Misconduct university rule)</td>
</tr>
<tr>
<td>Title IX and Clery Training</td>
<td>Jan. 8, 2014</td>
<td>Karen Royal, Director of Compliance</td>
</tr>
<tr>
<td>Sex Education (Educational Program)</td>
<td>Feb. 2014</td>
<td>Twjin Li, HIV/AIDS Chair SNPhA, Pharmacy School Student</td>
</tr>
<tr>
<td>STD Awareness (Educational Program)-Focused on Sexual Harassment and Safe Spring Break</td>
<td>Feb. 2014</td>
<td>Andy Hernandez, Sergeant University Police Department</td>
</tr>
<tr>
<td>Safe Valentine’s Date Tips (Educational Program)</td>
<td>Feb. 2014</td>
<td>Brandy Rucker, Rape Suicide Domestic Violence and Child Abuse Organization (RSDC), TAMUK Student</td>
</tr>
</tbody>
</table>
Violence Against Women Reauthorization Act of 2013 (VAWA)

On March 7th, 2013, the Violence Against Women Reauthorization Act of 2013 (VAWA) was enacted by the United States Congress. Among other provisions, this law amended sections of the Clery Act. These statutory changes require institutions to compile statistics for certain crimes that are reported to campus security authorities or local police agencies including incidents of sexual assault, domestic violence, dating violence, and stalking. Additionally, institutions will be required to include certain policies, procedures, and programs pertaining to these crimes in their Annual Security Reports beginning with the 2013 Annual Security Report.

Texas A&M University-Kingsville strictly prohibits the offenses of domestic violence, dating violence, sexual assault, stalking, or other forms of sexual misconduct. Offenders may be subject to appropriate campus adjudication processes, disciplinary action, and/or criminal proceedings. The university utilizes procedures that provide prompt, fair, and impartial investigation and resolution in cases involving domestic violence, dating violence, sexual assault, and stalking. These procedures are carried out by officials who receive specific annual training.

Sexual violence is a form of sexual harassment and services are available to students, faculty, and staff who experience sexual violence, domestic violence, dating violence, and instances of stalking. In these situations, Texas A&M University-Kingsville is committed to providing crisis intervention measures for students, faculty, and staff, as well as appropriate administrative response for the complainant and respondent; referring individuals to criminal authorities; and educating and promoting discussion on interpersonal abuse and violence issues. The university’s process does not preclude adjudication under state law. The University prohibits retaliation by its officers, employees, students, or agents against a person who exercises his or her rights or responsibilities under any provision federal or state law, including Title IX and the Campus SaVE Act, or this policy.

Consent in Reference to Sexual Activity

Texas Penal Code § 1.07 (11) "Consent" means assent in fact, whether express or apparent. (19) "Effective consent" includes consent by a person legally authorized to act for the owner. Consent is not effective if: (A) induced by force, threat, or fraud; (B) given by a person the actor knows is not legally authorized to act for the owner; (C) given by a person who by reason of youth, mental disease or defect, or intoxication is known by the actor to be unable to make reasonable decisions; or (D) given solely to detect the commission of an offense.
Penal Code § 22.011 Sexual Assault, (b) A sexual assault under Subsection (a)(1) is without the consent of the other person if: (1) the actor compels the other person to submit or participate by the use of physical force or violence; (2) the actor compels the other person to submit or participate by threatening to use force or violence against the other person, and the other person believes that the actor has the present ability to execute the threat; (3) the other person has not consented and the actor knows the other person is unconscious or physically unable to resist; (4) the actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it; (5) the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring; (6) the actor has intentionally impaired the other person's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge; (7) the actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat; or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and the condition of) sexual activity. Consent to any one form of sexual activity cannot automatically imply consent to other forms of sexual activity. Previous relationships or prior consent cannot imply consent to future sexual acts. Consent can be withdrawn at any time.

Safe and Positive Options for Bystander Intervention

Everyone has a role to play in preventing sexual assault. There are many different ways that you can step in or make a difference if you see someone at risk. This approach to preventing sexual assault is referred to as “bystander intervention.”

Bystander Intervention involves 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.

- Be aware of comments and behaviors from others that would indicate they are intent on having sexual intercourse even if a partner is unwilling.
- Notice if someone is getting ready to have sexual intercourse with a partner who is incapacitated.
- Never pressure or encourage friends to drink or have sex as often or with as many people as possible.
- Never joke about sexual assault; comments and jokes that are meant to “ease the tension” or are “just kidding around” can trivialize the severity of the behavior.
- Know your level of comfort with conversations and talk about sexual behavior. If you find groups or individuals who talk about sexual relationships that are not in sync with how you feel, or the type of relationship you want, do not be afraid to state your position.
- Many perpetrators are unaware that what they have done is a crime. They may say, “Yeah, that was messed up, but it was fun.” Let them know that what they did was not right and was against the law.

Your role in preventing sexual assault

The key to keeping your friends safe is learning how to intervene in a way that fits the situation and your comfort level. Having this knowledge on hand can give you the confidence to step in when something isn’t right. Stepping in can make all the difference, but it should never put your own safety at risk.

- Create a distraction. Do what you can to interrupt the situation. A distraction can give the person at risk a chance to get to a safe place. Cut off the conversation with a diversion like, “Let’s get pizza, I’m starving,” or “This party is lame. Let’s try somewhere else.” Bring out fresh food or drinks and offer them to everyone at the party, including the people you are concerned about. Start an activity that draws other people in, like a game, a debate, or a dance party.
• Ask directly. Talk directly to the person who might be in trouble. Ask questions such as “Who did you come here with?” or “Would you like me to stay with you?”
• Refer to an authority. Sometimes the safest way to intervene is to refer to a neutral party with the authority to change the situation, such as a resident assistant, security guard, bartender, or other employee. It’s in their best interest to ensure that their patrons are safe, and they will usually be willing to step in. Don’t hesitate to call 9-1-1 if you are concerned for someone else’s safety.
• Enlist others. It can be intimidating to approach a situation alone. Enlist another person to support you or to come with you to approach the person at risk. Or ask someone to intervene in your place. For example, you could ask someone who knows the person at risk to escort that person to the bathroom. Enlist the friend of the person you’re concerned about by saying, “Your friend looks like they’ve had a lot to drink. Can you check on them?”

If you become aware that a sexual assault has occurred or are told of an assault occurring:
• Believe the person.
• Tell the victim it is not their fault.
• Encourage the victim to talk to a professional, such as someone from Student Health and Wellness (confidential resource), University Police, the dean of students, or the Title IX Coordinator. Realize, however, there may be reasons that the person does NOT want to do that at this time. Respect that decision.
• Don’t pry or try to get information out of the person if they are unwilling to be forthcoming with information. Be ready to listen when the individual is ready to talk.
• If you learn of the perpetrator’s identity, don’t suggest physical retaliation of any kind.
• Know available resources.
• Listen.
• Be patient.

Sexual Violence Risk Reduction
The following are some strategies to reduce one’s risk of sexual violence (adapted from the Rape, Abuse, and Incest National Network (RAINN) at: www.rainn.org and Love is Respect at: www.loveisrespect.org or other similar help sites). Risk reduction options are 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.

If someone is pressuring you, or if you need to get out of an uncomfortable or scary situation:
• Remember that being in this situation is not your fault. You did not do anything wrong; it is the person who is making you uncomfortable who 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. Do what feels right to you and what you are comfortable with.
• Have a code word with your friends or family so that if you don’t feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come get you or make up an excuse for you to leave.
• 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. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
• Try to think of an escape route. How would you try to get out of the room? Where are the doors or windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
• If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.
In a social situation:

- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately.
- Don’t leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you’ve left your drink alone, get a new one.
- Don’t accept drinks from people you don’t know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don’t drink from the punch bowls or other large, common open containers.
- Make or order your own drinks and never feel pressured to have “just one more.”
- Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they’ve had, or is acting out of character, get him or her to a safe place immediately.
- If you suspect you or a friend has been drugged, contact law enforcement immediately. Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).

Sexual Assault, Dating Violence, Domestic Violence, and Stalking Laws

Texas Penal Code Sec. 21.01. DEFINITIONS. In this section:
(1) "Deviate sexual intercourse" means: (A) any contact between any part of the genitals of one person and the mouth or anus of another person; or (B) the penetration of the genitals or the anus of another person with an object.
(2) "Sexual contact" means, except as provided by Section 21.11, any touching of the anus, breast, or any part of the genitals of another person with intent to arouse or gratify the sexual desire of any person. (3) "Sexual intercourse" means any penetration of the female sex organ by the male sex organ. (4) "Spouse" means a person to whom a person is legally married under Subtitle A, Title 1, Family Code, or a comparable law of another jurisdiction.

Texas Penal Code, Sec. 22.011. SEXUAL ASSAULT. (a) A person commits an offense if the person:
(1) 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) intentionally or knowingly: (A) causes the penetration of the anus or sexual organ of a child by any means; (B) causes the penetration of the mouth of a child by the sexual organ of the actor; (C) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; (D) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or (E) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor.
(b) A sexual assault under Subsection (a)(1) is without the consent of the other person if:
(1) the actor compels the other person to submit or participate by the use of physical force or violence; (2) the actor compels the other person to submit or participate by threatening to use force or violence against the other person, and the other person believes that the actor has the present ability to execute the threat; (3) the other person has not consented and the actor knows the other person is unconscious or physically unable to resist; (4) the actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it; (5) the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring; (6) the actor has intentionally impaired the other person's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge; (7) the actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat; (8) the actor is a public servant who coerces the other person to submit or participate; (9) the actor is a mental health services provider or a
health care services provider who causes the other person, who is a patient or former patient of the actor, to submit or participate by exploiting the other person's emotional dependency on the actor; (10) the actor is a clergyman who causes the other person to submit or participate by exploiting the other person's emotional dependency on the clergyman in the clergyman's professional character as spiritual adviser; or (11) the actor is an employee of a facility where the other person is a resident, unless the employee and resident are formally or informally married to each other under Chapter 2, Family Code.

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

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

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

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

Texas Penal Code, Sec. 22.021. AGGRAVATED SEXUAL ASSAULT. (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) 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) administers or provides flunitrazepam, otherwise known as rohypnol, gamma hydroxybutyrate, or ketamine to the victim of the offense with the intent of facilitating the commission of the offense; (B) the victim is younger than 14 years of age; 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" and "disabled individual" have the meanings assigned by Section 22.04(c).

(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).

Sec. 42.072. STALKING. (a) A person commits an offense if the person, on more than one occasion and pursuant to the same scheme or course of conduct that is directed specifically at another person, knowingly engages in conduct that:
(1) constitutes an offense under Section 42.07, or that the actor knows or reasonably should know the other person will regard as threatening: (A) bodily injury or death for the other person; (B) bodily injury or death for a member of the other person's family or household or for an individual with whom the other person has a dating relationship; or (C) that an offense will be committed against the other person's property; (2) causes the other person, a member of the other person's family or household, or an individual with whom the other person has a dating relationship to be placed in fear of bodily injury or death or in fear that an offense will be committed against the other person's property, or to feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended; and (3) would cause a reasonable person to: (A) fear bodily injury or death for himself or herself; (B) fear bodily injury or death for a member of the person's family or household or for an individual with whom the person has a dating relationship; (C) fear that an offense will be committed against the person's property; or (D) feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended.

(b) An offense under this section is a felony of the third degree, except that the offense is a felony of the second degree if the actor has previously been convicted of an offense under this section or of an offense under any of the following laws that contains elements that are substantially similar to the elements of an offense under this section: (1) the laws of another state; (2) the laws of a federally recognized Indian tribe; (3) the laws of a territory of the United States; or (4) federal law.

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

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

Texas Family Code, Sec. 71.0021. DATING VIOLENCE. (a) "Dating violence" means an act, other than a defensive measure to protect oneself, by an actor that: (1) is committed against a victim: (A) with whom the actor has or has had a dating relationship; or (B) because of the victim's marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and (2) is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the victim in fear of imminent physical harm, bodily injury, assault, or sexual assault.

(b) For purposes of this title, "dating relationship" means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based
on consideration of: (1) the length of the relationship; (2) the nature of the relationship; and (3) the frequency and type
of interaction between the persons involved in the relationship.
(c) A casual acquaintanceship or ordinary fraternization in a business or social context does not constitute a "dating
relationship" under Subsection (b).

Texas Family Code, Sec. 71.004. FAMILY VIOLENCE. "Family violence" means:
(1) an act by a member of a family or household against another member of the family or household that is intended to
result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in
fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to
protect oneself; (2) abuse, as that term is defined by Sections 261.001(1)(C), (E), and (G), by a member of a family or
household toward a child of the family or household; or (3) dating violence, as that term is defined by Section 71.0021.

Sec. 71.005. HOUSEHOLD. "Household" means a unit composed of persons living together in the same dwelling,
without regard to whether they are related to each other.

Sec. 71.006. MEMBER OF A HOUSEHOLD. "Member of a household" includes a person who previously lived in a
household.

Sexual Violence
Victim’s Options for Reporting Sexual Violence
As a crime victim, you will have questions. What should you do? Generally speaking, a victim of sexual assault, dating
violence, domestic violence, or stalking has four choices:
• Choose to not report the crime to police or any campus authority.
• Report the crime to University Police anonymously.
• Report the crime to University Police 361-593-2611 or local police with the intent of pressing criminal charges.
• Report the crime to the university, including the Title IX Coordinator 361-593-4758, with the intent of using the
  Student Code of Conduct Process to hold the offender responsible. See Texas A&M University – Kingsville’s
  Sexual Misconduct Policy on page 84 in the Student Handbook or online:

If you are the victim of a sexual assault on the campus of Texas A&M University-Kingsville
• your first priority should be to get to a place of safety
• the victim should make every attempt to preserve any physical evidence of the assault; avoid destroying
  evidence by bathing or showering, douching, changing clothes, or cleaning up in any way, or disposing of any
  damaged clothing or other items that were present after/during the assault
• obtaining necessary medical treatment. This may include a voluntary medical exam post-assault medical care
  can be performed at a local emergency room or designated hospital. Many hospitals have a specialized examiner
  who can complete an exam for victims of sexual violence. Such an exam can help the victim receive an
  appropriate medical assessment and treatment, and can preserve evidence for possible future action
• pursuing counseling services with appropriate agencies (e.g., Student Health and Wellness, Employee Assistance
  Program (EAP), or private providers)
• calling someone that is known and trusted, such as a friend or counselor, and discussing with this person the
  assault can help to evaluate the trauma to sort out next steps
• making a police report. You can initiate a campus and/or criminal complaint for the assault. You may obtain
  assistance from campus authorities in this notification.
• making a report to a campus security authority (CSA), Title IX coordinator, deputy Title IX coordinator, or other
  responsible employee under Title IX
making an anonymous report. An anonymous report to the police notifies them that an act of sexual violence has occurred but gives no names or identification.

When a sexual assault victim contacts the University Police Department, the UPD will contact the Director of Student Health and Wellness Services or designee and the Title IX Coordinator will also be notified. Student Health and Wellness Services staff will guide the victim through the available options and support the victim in his/her decisions. The victim also will be encouraged to access the counseling services offered through Student Health and Wellness Services.

The victim of a sexual assault may choose for the investigation to be pursued through the criminal justice system, the campus disciplinary system or both. The university police, with the victim’s consent, will immediately conduct a criminal investigation of on-campus sexual assault incidents. Completed investigations will be forwarded to the District Attorney’s Office for review and possible prosecution. University disciplinary action may be imposed on individual students, recognized student organizations and/or university faculty and staff found in violation of the university sexual misconduct policy. Students may be placed on probation, suspended or expelled, for committing violent or criminal acts on campus or at campus-related events. University disciplinary proceedings are detailed in the Texas A&M University - Kingsville student handbook.

In the case of alleged sexual assault, the accuser and the accused are entitled to the same opportunities to have others present during a campus disciplinary proceeding; and both shall be informed of the outcome of any campus disciplinary proceedings brought alleging a sexual assault. The university will assist the victim in changing academic and living situations if so required and if such changes are reasonably available.

The institution will upon written request, disclose to the alleged victim of a crime of violence, or non-forcible sex offense, the results of any disciplinary hearing conducted by the university against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, the institution will provide the results of the disciplinary hearing to the victim’s next of kin, if so requested.

Sexual Assault/Sexual Violence Resources
- A&M-Kingsville Office of Human Resources: 361-593-3705
- A&M-Kingsville Student Health and Wellness Department: 361-593-3991
- A&M-Kingsville Title IX Coordinator: 361-593-4758
- Family Violence and Sexual Assault Prevention Center of South Texas: 1-800-580-4878
- Protective Orders – Victim’s Assistance Coordinator, County Attorney Office: 361-595-8583
- Women’s Shelter: 361-516-0288

The University Police Department works in concert with Student Health and Wellness Department and the Health Care Clinic, taking a team approach in dealing with sensitive situations and referring persons to counseling services, as needed. Police officers are trained in threat assessment and licensed professional Counselors encourage their clients to report crimes to the University Police Department to prevent the potential for future crimes. Crime information can be forwarded anonymously at the request of the client to the University Police Department.

Counselors do not disclose information to the police department without the consent of the client unless there is an immediate threat to safety.

Sexual Assault/Sexual Violence Risk Reduction Tips:
With no intent to victim blame and recognizing that only rapists are responsible for rape, the following are some strategies to reduce one’s risk of sexual assault or harassment:
- **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out
of a bad situation.

• Try to avoid isolated areas. It is more difficult to get help if no one is around.
• Walk with purpose. Even if you don’t know where you are going, act like you do.
• Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn’t the best place to be.
• Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
• Make sure your cell phone is with you and charged and that you have cab money.
• Don’t allow yourself to be isolated with someone you don’t trust or someone you don’t know.
• Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
• When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
• Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (UPD can be reached by calling 361-593-2611 or calling 9-1-1 in most areas of the U.S.).
• Don’t leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you’ve left your drink alone, get a new one.
• Don’t accept drinks from people you don’t know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don’t drink from the punch bowls or other large, common open containers.
• Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they’ve had, or is acting out of character, get him or her to a safe place immediately.
• If you suspect you or a friend has been drugged, contact law enforcement. Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly other medical tests).

Procedures Victims Should Follow in Cases of Sexual Violence
If the Assault Just Occurred

• Remember the assault was not your fault.
• Make sure you are in a safe place.
• If you do not feel safe and need immediate police or medical assistance, call 9-1-1 or if on campus 361-593-2611. Police can also take you to the hospital or meet you there.
• Contact someone who can help you: a friend, the police (at 361-593-2611 if on campus or 9-1-1 if off campus), a relative - any or all of the above.
• Report the incident to a CSA who can assist you in notifying UPD or other law enforcement agencies, if you so choose.
• Get medical attention at a hospital emergency room right away. You do not have to report the incident to the police to be seen in the emergency room or to have an evidence-gathering exam (e.g., using a sexual assault nurse examiner kit).
• Seek medical help whether or not you want to report the incident. You may have injuries you are not aware of, and a doctor can help you do what you can to prevent pregnancy or sexually transmitted infections.
• Do not shower, drink or eat, douche, or change your clothes. These activities destroy important physical evidence in the event that you decide to press criminal charges against the assailant.
• As soon as you have a quiet moment, write down everything that you remember happening, with as much detail as possible. This will help with your own healing process and in any legal action you might decide to take.

As soon as possible, the victim of a sexual assault should report the incident to the University Police Department or to the local police, if the incident took place off campus. University Housing and Residence Life staff, Dean of Students or other appropriate university staff of Texas A&M University-Kingsville will assist reporting to outside agencies as appropriate. Filing a police report with UPD will not obligate the victim to prosecute, nor will it subject the victim to
scrutiny or judgmental opinions from officers. Filing a report will:

- Ensure that a victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim.
- Provide the opportunity for collection of evidence helpful in prosecution or obtaining a protection order, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet or change clothing prior to a medical/legal exam).
- Assure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.

Preserving Physical Evidence

If an incident of sexual assault, domestic violence, dating violence, or stalking occurs, it is important to preserve evidence to aid in the possibility of a successful criminal prosecution or obtaining a protection order. The victim of a sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical exam. Any clothing removed should be placed in a paper bag. Evidence of violence, such as bruising or other visible injuries following an incident of domestic or dating violence should be documented including through the preservation of photographic evidence. Evidence of stalking including any communication, such as written notes, voicemail, or other electronic communications should be saved and not altered in any way. For more information about how to preserve evidence, contact the University Police Department at 361-593-2611.

Medical Exam Following Sexual Assault

If you go to a hospital as a result of a sexual assault, you are entitled to a free evidence collection examination performed by a sexual assault nurse examiner (SANE). Texas Code of Criminal Procedure, Art. 56.06. MEDICAL EXAMINATION FOR SEXUAL ASSAULT VICTIM WHO HAS REPORTED ASSAULT; COSTS. (a) If a sexual assault is reported to a law enforcement agency within 96 hours of the assault, the law enforcement agency, with the consent of the victim, a person authorized to act on behalf of the victim, or an employee of the Department of Family and Protective Services, shall request a medical examination of the victim of the alleged assault for use in the investigation or prosecution of the offense. A law enforcement agency may decline to request a medical examination under this subsection only if the person reporting the sexual assault has made one or more false reports of sexual assault to any law enforcement agency and if there is no other evidence to corroborate the current allegations of sexual assault.

(b) If a sexual assault is not reported within the period described by Subsection (a), on receiving the consent described by that subsection the law enforcement agency may request a medical examination of a victim of an alleged sexual assault as considered appropriate by the agency.

(c) A law enforcement agency that requests a medical examination of a victim of an alleged sexual assault for use in the investigation or prosecution of the offense shall pay all costs of the examination. On application to the attorney general, the law enforcement agency is entitled to be reimbursed for the reasonable costs of that examination if the examination was performed by a physician or by a sexual assault examiner or sexual assault nurse examiner, as defined by Section 420.003, Government Code.

(d) A law enforcement agency or prosecuting attorney's office may pay all costs related to the testimony of a licensed health care professional in a criminal proceeding regarding the results of the medical examination or manner in which it was performed.

(e) This article does not require a law enforcement agency to pay any costs of treatment for injuries.

Texas A&M University-Kingsville departments (Student Health and Wellness, University Police, Title IX Coordinator) use area hospitals for such an exam, Memorial Medical Trauma Center, Corpus Christi; Doctor’s Regional Hospital, Corpus Christi; or Driscoll Children’s Hospital, Corpus Christi, where they have specially trained nurses on call 24 hours a day for such purposes. The nurse will collect the evidence and ask the university police to pick it up and store it for at least six months. The evidence will be in a box marked only with a number, not your name. You are not required to make an official police report for this evidence to be collected. If you later decide to make such a report, the hospital will give
your name to the police and the evidence kit will be tested for possible use in a court case. For assistance in this process, contact the University Police Department at 361-593-2611.

Texas Code of Criminal Procedure, Article 56.065.  MEDICAL EXAMINATION FOR SEXUAL ASSAULT VICTIM WHO HAS NOT REPORTED ASSAULT; COSTS.  (a) In this article:
(1) "Crime laboratory" has the meaning assigned by Article 38.35.
(2) "Department" means the Department of Public Safety.
(3) "Sexual assault examiner" and "sexual assault nurse examiner" have the meanings assigned by Section 420.003, Government Code.
(b) This article applies to the following health care facilities that provide diagnosis or treatment services to victims of sexual assault: (1) a general or special hospital licensed under Chapter 241, Health and Safety Code; (2) a general or special hospital owned by this state; (3) an outpatient clinic; and (4) a private physician's office.
(c) In accordance with Subchapter B, Chapter 420, Government Code, and except as provided by Subsection (e), a health care facility shall conduct a forensic medical examination of the victim of an alleged sexual assault if:
(1) the victim arrives at the facility within 96 hours after the assault occurred; (2) the victim consents to the examination; and (3) at the time of the examination the victim has not reported the assault to a law enforcement agency.
(d) The department shall pay the appropriate fees, as set by attorney general rule, for the forensic portion of the medical examination and for the evidence collection kit if a physician, sexual assault examiner, or sexual assault nurse examiner conducts the forensic portion of the examination within 96 hours after the alleged sexual assault occurred. The attorney general shall reimburse the department for fees paid under this subsection.
(e) If a health care facility does not provide diagnosis or treatment services to victims of sexual assault, the facility shall refer a victim seeking a forensic medical examination under Subsection (c) to a health care facility that provides services to those victims.
(f) The department, consistent with Chapter 420, Government Code, may develop procedures regarding the submission or collection of additional evidence of the alleged sexual assault other than through an examination as described by this article.
(g) The department, consistent with Chapter 420, Government Code, shall develop procedures for the transfer and preservation of evidence collected under this article to a crime laboratory or other suitable location designated by the public safety director of the department. The receiving entity shall preserve the evidence until the earlier of:
(1) the second anniversary of the date the evidence was collected; or (2) the date on which written consent to release the evidence is obtained as provided by Section 420.0735, Government Code.
(h) The victim may not be required to: (1) participate in the investigation or prosecution of an offense as a condition of receiving a forensic medical examination under this article; or (2) pay for the forensic portion of the medical examination or for the evidence collection kit.
(i) The attorney general and the department each shall adopt rules as necessary to implement this article.
(j) A communication or record that contains identifying information regarding a person who receives a forensic medical examination under this article and that is created by, provided to, or in the control or possession of the department is confidential for purposes of Section 552.101, Government Code. In this subsection, "identifying information" includes:
(1) information revealing the identity, personal history, or background of the person; or (2) information concerning the victimization of the person.

If the Assault Occurred Some Time Ago
You may just now be realizing that your experience was unwanted, or may finally be ready to call the experience a sexual assault. Even if the incident did not take place recently, you still have options.
• Remember that sexual assault is never your fault. Believe in yourself. Get the support you deserve and give yourself time to heal.
• Consider seeking medical attention. You may still need treatment of physical symptoms.
• Seek counseling. Unresolved experiences of sexual assault can have long-term psychological and social effects.
• Take advantage of resources that are there for you. Consult with Student Health and Wellness 361-593-3991, Title IX Coordinator 361-593-4758, University Police Department 361-593-2611 explore your options regarding:
  • receiving medical care
  • reporting the incident to the police
  • pursuing campus judicial intervention
  • seeking academic or administrative intervention

**Dating Violence/Domestic Violence**

The Texas A&M University-Kingsville Police Department takes dating and domestic/family violence complaints seriously. The nature and seriousness of crimes committed between dating partners, family or household members are not mitigated because of the relationships or living arrangements of those involved. Therefore, law enforcement must be thorough when responding to dating violence and/or domestic violence calls. An immediate criminal justice response can make a major difference in the disputants' lives. If an assault should occur, the victim should go to a safe place and contact a friend or family member for support. Call the Texas A&M University-Kingsville police if the incident occurred on campus at 361-593-2611; if the incident occurred in the City of Kingsville call the Emergency 911, or Business 361-592-4311 for assistance. For locations not in Kingsville, the incident should be reported to local law enforcement and/or the appropriate campus authorities.

With all due consideration for their own safety, the primary duties of a peace officer of the Texas A&M University-Kingsville Police department responding to a dating and/or domestic disturbance and who investigates a dating/domestic/family violence allegation or who responds to a disturbance call that may involve dating/domestic/family violence are:
  • to protect any potential victim of dating/domestic/family violence,
  • enforce the law of this state,
  • enforce a protective order from another jurisdiction and
  • make lawful arrests of violators.

State law requires a peace officer who investigates a dating/domestic/family violence incident or who responds to a disturbance call that may involve dating/domestic/family violence, (the officer), shall make a written report, including but not limited to:
  • the names of the suspect and complainant;
  • the date, time, and location of the incident;
  • any visible or reported injuries;
  • a description of the incident and a statement of its disposition; and
  • whether the suspect is a member of the state military forces or is serving in the armed forces of the United States in an active-duty status.

In Texas domestic violence laws apply to incidents of violence in domestic situations that cause bodily injury, threaten to cause imminent bodily injury, or cause any kind of physical contact that someone could reasonably expect would cause the other person to regard as offensive or provocative, including forceful detention which results in physical injury or places one in reasonable apprehension of bodily injury, impeding the normal breathing or circulation of the blood of the person by applying pressure to the person's throat or neck or by blocking the person's nose or mouth and which is committed by a person against such person's family or household member. "Family violence" means: (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 by a member of a family or household toward a child of the family or household; or (3) dating violence.
In essence domestic violence is any violent or controlling behavior by a person toward a spouse or partner. Although the partner is the primary target, domestic abuse also affects the children in the household, extended family members, and even the community at large.

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

Indicators in a relationship that might be warning signs of impending dating violence:
- Always wanting to know where you are and who you are with
- Not wanting you to spend time with others
- Getting angry if you do not answer a call or text immediately
- Always blaming you for their mistakes
- Calling you names or constantly putting you down
- Yelling constantly, throwing or punching objects
- Pressuring you to do more sexually than you are ready for

Be aware of these indicators and trust your instincts. Instincts may have told victims that there was something wrong early on but they disregarded the warning signs and didn’t know that these signs were indicative of an abusive relationship. Understand barriers to getting help such as fear of being judged, embarrassment and not wanting to admit that it's a real problem. Always take time to get to know a potential partner and watch for patterns of behavior in a variety of settings. Keeping in touch with your support system and confide in them. Participating in good self-care can lower your risk of being involved in an abusive relationship. If anyone has been hit or abused by dating partner and they want to report it as a crime; they should immediately call the Texas A&M University-Kingsville Police if the incident occurred on campus at 361-593-2611; if the incident happened in the City of Kingsville call the Emergency 911, or Business 361-592-4311 for assistance. Go to a safe place. Contact a friend or family member for support if possible.

A victim may choose a pseudonym to be used instead of the victim's name to designate the victim in all public files and records concerning the offense, including police summary reports, press releases, and records of judicial proceedings. A victim who elects to use a pseudonym must complete a pseudonym form developed under this article and return the form to the law enforcement agency investigating the offense.

The Texas A&M University-Kingsville Police will arrest the aggressor when probable cause exists by the totality of the circumstances which may include: evidence that any of the parties acted in self-defense; a history of violence (prior assault convictions) of the parties involved, including history of calls for service; the relative severity of injuries inflicted on all parties, plus consideration whether the injuries were offensive or defensive; the relative size, bulk, and strength of the parties involved; evidence from persons involved in or witnesses to the incident; the likelihood of future injury to any party; and, current or previous protection orders filed against either party. As with any crime, it is important to preserve evidence. Physical evidence can include injuries of the victim, evidentiary articles that substantiate an attack and the crime scene itself. Photographs of injuries and the crime scene showing a struggle occurred can be invaluable.
A student victim of dating violence has the right, in addition to filing charges through the criminal justice system, to file a complaint with the Office of the Dean of Students, 361-593-3606, along with criminal prosecution, University judicial action is an option that can be pursued in lieu of/or concurrent with legal prosecution. University students may report the incident to the Dean of Students, regardless of whether the act of violence occurred on or off-campus since the university reserves the right to hold students accountable for certain types of off-campus behavior. Disciplinary action will result if a student’s behavior jeopardizes the educational atmosphere or mission of the institution. Sanctions may include disciplinary probation and educational programs and may result in suspension from the university.

**Dating Violence/Domestic Violence Resources**
- A&M-Kingsville Office of Human Resources: 361-593-3705
- A&M-Kingsville Student Health and Wellness Department: 361-593-3991
- A&M-Kingsville Title IX Coordinator: 361-593-4758
- Family Violence and Sexual Assault Prevention Center of South Texas: 1-800-580-4878
- Protective Orders – Victim’s Assistance Coordinator, County Attorney Office: 361-595-8583
- Women’s Shelter: 361-516-0288

**In Cases of Dating Violence/Domestic Violence**

**Getting Help**
- Violence is never the victim’s fault.
- Know that you have legal choices. Call the University Police at 361-593-2611 or Title IX Coordinator 361-593-4758 for assistance or to learn about your choices.
- Trust your instincts and do not second-guess your feelings.
- Know that you are not alone. More than two million reports of dating/domestic violence occur every year.
- Ask a friend, family member, professor, or crisis center for help.
- If you are physically hurt, seek medical attention.
- Getting help is the best thing you can do for yourself and your health.

**Giving Help**
- Believe the person. He or she will need you to be supportive and understanding.
- Do not ask too much. The person may feel uncomfortable about involving others, and will open up when ready.
- Be supportive by listening or gathering information and resources.

**No-Contact Orders (issued by the University)**

No-Contact Orders issued by the University are designed so that students involved in a campus conduct process do not have any communication with each other to help minimize further altercations between those involved. Students who have no-contact orders are not to contact each other using ANY means. This includes, but is not limited to: comments, words, or gestures in person, through postal mail, email, social networking sites, or through others (friends, acquaintances, family members, etc.) acting on the student’s behalf. An order of no contact will remain in place until both parties agree, in writing, to cancel the order, pending final approval by the Office of the Dean of Students.

**Code of Criminal Procedure- Protective Order**

Code of Criminal Procedure, Art. 6.08. PROTECTIVE ORDER PROHIBITING OFFENSE CAUSED BY BIAS OR PREJUDICE.

(a) At any proceeding in which the defendant appears in constitutional county court, statutory county court, or district court that is related to an offense under Title 5, (Crimes Against Persons) Penal Code, or Arson, Criminal Mischief or Graffiti, Penal Code, in which it is alleged that the defendant committed the offense because of bias or prejudice as described by Article Family Violence, a person may request the court to render a protective order under Title 4, Family Code, for the protection of the person.
(b) The court shall render a protective order in the manner provided by Title 4, Family Code, if, in lieu of the finding that family violence occurred and is likely to occur in the future as required by Section Family Violence, Family Code, the court finds that probable cause exists to believe that an offense under Title 5, (Crimes Against Persons) Penal Code, or Arson, Criminal Mischief or Graffiti, Penal Code, occurred, that the defendant committed the offense because of bias or prejudice, and that the nature of the scheme or course of conduct engaged in by the defendant in the commission of the offense indicates that the defendant is likely to engage in the future in conduct prohibited by Title 5, Penal Code, or Arson, Criminal Mischief or Graffiti, Penal Code, and committed because of bias or prejudice.

(c) The procedure for the enforcement of a protective order under Title 4, (Protective Orders and Family Violence) Family Code, applies to the fullest extent practicable to the enforcement of a protective order under this article, including provisions relating to findings, contents, duration, warning, delivery, law enforcement duties, and modification, except that: (1) the printed statement on the warning must refer to the prosecution of subsequent offenses committed because of bias or prejudice; (2) the court shall require a constable to serve a protective order issued under this article; and (3) the clerk of the court shall forward a copy of a protective order issued under this article to the Department of Public Safety with a designation indicating that the order was issued to prevent offenses committed because of bias or prejudice.

(d) For an original or modified protective order rendered under this article, on receipt of the order from the clerk of the court, a law enforcement agency shall immediately, but not later than the 10th day after the date the order is received, enter the information required by Section 411.042(b)(6), Government Code, into the statewide law enforcement information system maintained by the Department of Public Safety.

Protective Orders (issued by the Courts) "Protective order" an injunction or other order, issued by a tribunal under the domestic violence or family violence laws or another law of the issuing state, to prevent an individual from engaging in violent or threatening acts against, harassing, contacting or communicating with, or being in physical proximity to another individual. Protective orders are court orders meant to protect victims who have experienced or are reasonably in fear of physical violence, sexual assault or stalking by another individual. If a court finds from the information contained in an application for a protective order that there is a clear and present danger of family violence, the court, without further notice to the individual alleged to have committed family violence and without a hearing, may enter a temporary ex parte order for the protection of the applicant or any other member of the family or household of the applicant.

In a protective order, the court may prohibit the person found to have committed family violence from: (1) committing family violence; (2) communicating: (A) directly with a person protected by an order or a member of the family or household of a person protected by an order, in a threatening or harassing manner; (B) a threat through any person to a person protected by an order or a member of the family or household of a person protected by an order; and (C) if the court finds good cause, in any manner with a person protected by an order or a member of the family or household of a person protected by an order, except through the party's attorney or a person appointed by the court; (3) going to or near the residence or place of employment or business of a person protected by an order or a member of the family or household of a person protected by an order, except through the party's attorney or a person appointed by the court; (4) going to or near the residence, child-care facility, or school a child protected under the order normally attends or in which the child normally resides; (5) engaging in conduct directed specifically toward a person who is a person protected by an order or a member of the family or household of a person protected by an order, including following the person, that is reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass the person; (6) possessing a firearm, unless the person is a peace officer, actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision; and (7) harming, threatening, or interfering with the care, custody, or control of a pet, companion animal, or assistance animal, that is possessed by a person protected by an order or by a member of the family or household of a person protected by an order. (c) In an order, the court shall specifically describe each prohibited location and the minimum distances from the location, if any, that the party must maintain. (d) In a protective order, the court shall suspend a license to carry a concealed handgun that is held by a person found to have committed family violence.
If you are a student or employee victim, please inform the Texas A&M University-Kingsville Police of any protection orders. Show these to the police officer, magistrate, prosecutor, or judge if he/she violates the order. Officers shall enforce protective orders from Texas and other states or possessions of the United States.

The Texas A&M University-Kingsville Police Department will explain and provide assistance in the process of obtaining protective orders. The university police department officers will provide victims of domestic violence with a “NOTICE TO ADULT VICTIMS OF FAMILY VIOLENCE” which states: “It is a crime for any person to cause you any physical injury or harm even if that person is a member or former member of your family or household. You may report family violence to a law enforcement officer by calling the following telephone numbers: 361-593-2611. "If you, your child, or any other household resident has been injured or if you feel you are going to be in danger after a law enforcement officer investigating family violence leaves your residence or at a later time, you have the right to: “Ask the local prosecutor to file a criminal complaint against the person committing family violence; and apply to a court for an order to protect you. You may want to consult with a legal aid office, a prosecuting attorney, or a private attorney.” A court can enter an order that: "(1) prohibits the abuser from committing further acts of violence; (2) Prohibits the abuser from threatening, harassing, or contacting you at home; (3) directs the abuser to leave your household; and (4) establishes temporary custody of the children or any property.” A VIOLATION OF CERTAIN PROVISIONS OF COURT-ORDERED PROTECTION MAY BE A FELONY.

If you feel that you qualify for or you would like to obtain a protective order which aims to protect the health or safety of any person regardless of a decision to arrest. Emergency Protective Orders are issued by a Justice of the Peace. In a protective order, the court may prohibit the person found to have committed family violence from: (1) committing family violence; (2) communicating: (A) directly with a person protected by an order or a member of the family or household of a person protected by an order, in a threatening or harassing manner; (B) a threat through any person to a person protected by an order or a member of the family or household of a person protected by an order; and (C) if the court finds good cause, in any manner with a person protected by an order or a member of the family or household of a person protected by an order, except through the party's attorney or a person appointed by the court; (3) going to or near the residence or place of employment or business of a person protected by an order or a member of the family or household of a person protected by an order, except through the party's attorney or a person appointed by the court; (3) going to or near the residence or place of employment or business of a person protected by an order or a member of the family or household of a person protected by an order; (4) going to or near the residence, child-care facility, or school a child protected under the order normally attends or in which the child normally resides; (5) engaging in conduct directed specifically toward a person who is a person protected by an order or a member of the family or household of a person protected by an order, including following the person, that is reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass the person; (6) possessing a firearm, unless the person is a peace officer, actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision; and (7) harming, threatening, or interfering with the care, custody, or control of a pet, companion animal, or assistance animal, that is possessed by a person protected by an order or by a member of the family or household of a person protected by an order. (c) In an order, the court shall specifically describe each prohibited location and the minimum distances from the location, if any, that the party must maintain. (d) In a protective order, the court shall suspend a license to carry a concealed handgun that is held by a person found to have committed family violence.

The victim may also apply for an arrest warrant. If a warrant is issued, the alleged perpetrator will be arrested. An arrest warrant charges someone with committing a crime, usually assault.

CALL THE FOLLOWING VIOLENCE SHELTERS OR SOCIAL ORGANIZATIONS IF YOU NEED PROTECTION: Department of Family and Protective Services 361-516-0946 or Women’s Shelter of South Texas 361-516-0288/HOTLINE 800-580-4878 (HURT).

Campus Resources for Dating Violence and Domestic Violence
Along with criminal prosecution, University judicial action is an option that can be pursued in lieu of/or concurrent with legal prosecution. Judicial proceedings will provide a prompt, fair, and impartial investigation and resolution conducted
by officials who receive annual training on issues related to domestic violence as well as dating violence, sexual assault and stalking. Equal access and opportunities for the accused and accuser, including to the appeal procedures and support of an advisor; simultaneously inform the parties in writing of the outcome and appeal process; institutional retaliation is prohibited. The accused has the right to a presumption of not being responsible for a violation until proven responsible as determined by a preponderance of the evidence present at the hearing. To begin a university judicial action, the counselor, police or victim should contact the Office of the Dean of Students at 361-593-3606.

The Texas A&M University-Kingsville Student Health and Wellness – Counseling Services, 361-593-3991, offers free and confidential assessments and counseling for academic, career, and personal issues to all enrolled Texas A&M University-Kingsville students. All counseling sessions are confidential to the full limits provided by the law; no information can be released within or outside the university without the client’s consent. There is no set limit or requirement to the number of sessions that one may attend. Student Health and Wellness offers support and counseling for individuals who have experienced violence. That support may be through individual counseling. Counseling is also available for enrolled university students who are friends and partners of people who have experienced this kind of violence.

Student Health and Wellness conducts workshops on healthy relationships. The department annually conducts sexual assault and gender violence prevention programs, including Walk a Mile in Her Shoes (Wearing women’s shoes while walking a mile on campus, Texas A&M University-Kingsville men help raise awareness about gender violence), Take back the night (Empowering each other to stand strong, illuminate the night and share stories to end sexual assault, domestic and gender violence). Contact Women’s Enrichment Program at 361-593-2382 for more information on the signature events.

Community Resources for Dating Violence/Domestic Violence
In addition to campus based resources there are community-based organizations that provide services to victims of domestic crime, such as:

**Local Kingsville Law Enforcement Resources:**

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<tr>
<th>Kingsville Police Department</th>
<th>Kleberg County Sheriff’s Office</th>
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<tbody>
<tr>
<td>361-592-4311</td>
<td>361-595-8500</td>
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**County and National Social Service Organizations:**

<table>
<thead>
<tr>
<th>Texas Department of Mental Health and Mental Retardation (MHMR) Coastal Plains</th>
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<tbody>
<tr>
<td>361-516-1067/361-592-6481/361-777-3991</td>
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<tr>
<td>HOTLINE: 800-841-6467</td>
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<tr>
<th>Kleberg County Family Guidance Services</th>
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<tr>
<td>361-592-8446</td>
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<tr>
<th>Kleberg County Substance Abuse</th>
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<tr>
<td>361-595-8574</td>
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<tr>
<th>Abuse of Elderly or Disabled Adults</th>
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<tr>
<td>800-252-5400</td>
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<tr>
<th>Department of Family and Protective Services</th>
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<tbody>
<tr>
<td>361-516-0943</td>
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National Domestic Violence Hotline
1-800-799-7233

Texas Council on Family Violence
Domestic Violence Hotline:
1-800-799-7233
(1-800-799-SAFE)

Women Shelter of South Texas
361-516-0288

Local Legal Assistance:
Kleberg County District Attorney’s Office (Crime Victims Compensation)
361-595-8544

Kleberg County Attorney’s Office (Protective Orders)
361-595-8585

Kleberg County Indigent Care (Legal services for low income applicants) (Divorce)
361-595-8569
1-800-840-3379

Dating Violence, Domestic Violence, Sexual Assault and Stalking Education and Prevention Programs
The University engages in 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, or 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.

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and employees that:

a. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
b. Defines using definitions provided both by the Department of Education as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
c. Defines what behavior and actions constitute consent to sexual activity in the State of Texas and/or using the definition of consent found in the Student Code of Conduct if state law does not define consent;
d. Provides a description of safe and positive options for bystander intervention. 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;
e. Information on risk reduction. 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.
The University has developed an annual educational campaign consisting of presentations that include distribution of educational materials to new students; participating in and presenting information and materials during new employee orientation;

Red flags in a relationship:

Do you...
- Feel afraid of your partner most of the time?
- Feel that you can’t do anything right?
- Get embarrassed by your partner’s behavior toward you?
- Believe that you deserve to be hurt or mistreated?
- Avoid topics or situations out of fear of angering your partner?

Does your partner...
- Humiliate, criticize or yell at you?
- Blame you for his behavior?
- Threaten to hurt you?
- Threaten to take your kids away?
- Threaten to harm your kids or pets?
- Force you to have sex?
- Act jealous and possessive?
- Keep you from seeing friends and family?
- Limit your access to money or necessities?
- Keep you from getting a job or going to school?
- Constantly check up on you?
- Threaten to kill or hurt himself if you leave?

Pay attention to the “red flags “and trust your instincts. Survivors of domestic violence frequently report that their instincts told them that there was something wrong early on but they disregarded the warning signs and didn’t know that these signs were indicative of an abusive relationship. Always take time to get to know a potential partner and watch for patterns of behavior in a variety of settings. Keeping in touch with your support system and participating in good self-care can lower your risk of being involved in an abusive relationship. The Texas A&M University-Kingsville Police Department along with the university community is committed to stopping domestic violence in our community by encouraging its community members to be a courageous bystander with safe and positive options for bystander interventions to prevent harm or intervene.

Bystander interventions:
- Speak up when you hear threatening language.
- Hold people accountable for their actions.
- Respectfully challenge comments that degrade women.

Stalking

Texas Code of Criminal Procedure

Art. 6.09. STALKING PROTECTIVE ORDER. (a) At any proceeding related to an offense under Stalking, Penal Code, in which the defendant appears before the court, a person may request the court to render a protective order under Title 4, Family Code, for the protection of the person. The request is made by filing "An Application for a Protective Order" in the same manner as an application for a protective order under Title 4, Family Code.

(b) The court shall render a protective order in the manner provided by Title 4, Family Code, if, in lieu of the finding that family violence occurred and is likely to occur in the future as required by Section 85.001, Family Code, the court finds that probable cause exists to believe that an offense under Stalking, Penal Code, occurred and that the nature of the scheme or course of conduct engaged in by the defendant in the commission of the offense indicates that the defendant is likely to engage in the future in conduct prohibited by the Stalking statute, Penal Code.

(c) The procedure for the enforcement of a protective order under Title 4, Family Code, applies to the fullest extent practicable to the enforcement of a protective order under this article, including provisions relating to findings, contents, duration, warning, delivery, law enforcement duties, and modification.
Stalking
Stalking is traumatic. You may experience nightmares, lose sleep, get depressed or feel like you’re no longer in control of your life.

Sec. 42.072. STALKING. (a) A person commits an offense if the person, on more than one occasion and pursuant to the same scheme or course of conduct that is directed specifically at another person, knowingly engages in conduct that:
(1) constitutes an offense under Section 42.07, or that the actor knows or reasonably should know the other person will regard as threatening:
(A) bodily injury or death for the other person;
(B) bodily injury or death for a member of the other person's family or household or for an individual with whom the other person has a dating relationship; or
(C) that an offense will be committed against the other person's property;
(2) causes the other person, a member of the other person's family or household, or an individual with whom the other person has a dating relationship to be placed in fear of bodily injury or death or in fear that an offense will be committed against the other person's property, or to feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended; and
(3) would cause a reasonable person to:
(A) fear bodily injury or death for himself or herself;
(B) fear bodily injury or death for a member of the person's family or household or for an individual with whom the person has a dating relationship;
(C) fear that an offense will be committed against the person's property; or
(D) feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended.

(b) An offense under this section is a felony of the third degree, except that the offense is a felony of the second degree if the actor has previously been convicted of an offense under this section or of an offense under any of the following laws that contains elements that are substantially similar to the elements of an offense under this section:
(1) the laws of another state;
(2) the laws of a federally recognized Indian tribe;
(3) the laws of a territory of the United States; or
(4) federal law.

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

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

Protective Orders- Stalking
A stalking victim or a prosecuting attorney acting on behalf of the person may file an application for a protective order without regard to the relationship between the applicant and the alleged offender. If the court finds from the information contained in an application for a protective order that there is a clear and present danger of sexual assault, stalking, or other harm to the applicant, the court, without further notice to the alleged offender and without a hearing, may enter a temporary ex parte order for the protection of the applicant or any other member of the applicant’s family or household.
Stalking Behavior

Stalking behaviors can include:
- Showing up at your home or place of work unannounced or uninvited.
- Sending you unwanted text messages, letters, emails and voicemails.
- Leaving unwanted items, gifts or flowers.
- Constantly calling you and hanging up.
- Use social networking sites/technology to track you.
- Spreading rumors about you via the internet or word of mouth.
- Making unwanted phone calls to you.
- Calling your employer or professor.
- Waiting at places you hang out.
- Damaging your home, car or other property.

Safe Practices

- Under no circumstances should you agree to meet with the perpetrator face to face to “work it out” or “talk.” Meeting a stalker in person can be very dangerous.
- Tell someone. Resources like University Police Department, Student Health and Wellness, Title IX Coordinator are here to support and assist you. Victims under the age of 18 should tell a parent or other trusted adult about any harassments or threats.
- Send one, clear written warning. This warning should convey that the contact is unwanted, and tell the perpetrator to cease all communications of any kind. Do this only once. Then, no matter the response, under no circumstances have further contact with the stalker.
- Collect and document all evidence. Save all email, postings, or other communications in both electronic and hard-copy form. If possible, save all of the header information from emails and newsgroup postings (use the Help feature on whatever service you are using for instructions). Record the dates and times of any contact with the stalker. All evidence of stalking should be preserved to aid in obtaining a protection order against a perpetrator.
- Keep a detailed log of stalking behavior. Start a log detailing each communication:
  - date,
  - time,
  - type of incident,
  - witnesses, etc.
- You may also want to document how the stalking is affecting you and any steps you have taken to stop it (e.g., blocked number, unfriended on Facebook, asked the stalker to stop). A free Stalking Log is available at: https://www.victimsofcrime.org/docs/src/stalking-incident-log_pdf.pdf?sfvrsn=4
- File a report with the University Police or local law enforcement. Save copies of police reports and record all contact with law enforcement officials and the prosecutor’s office. Add these notes to your Stalking Log.
- Change your contact information. You may want to consider changing your email address, Internet Service Provider (ISPs), and/or phone number, and consider using encryption software or privacy protection programs.
- File a complaint with both parties’ ISPs. Many ISPs offer tools that filter or block communications from specific individuals.

If you become a victim of stalking

Anyone can become a victim of stalking. The following are suggestions as to what you can do if someone is stalking you:
- Keeps a log of incidents including the date, time, what happened, and the names of any witnesses. Even if you decide not to pursue prosecution, you may change your mind and it will be helpful to have documentation of every incident.
- If you have a protection order, make several copies, and carry a copy with you at all times.
- Save any packages, letters, messages, or gifts from the stalker. They may be important if you decide to report to the police.
• To keep your address confidential, get a post office box and use it on all correspondence. Put this address on your checks. (If you are being sent something from Federal Express or another company that won’t mail to P.O. Boxes, change "P.O. Box" to "Apartment" when giving your address).
• Use an answering machine to screen calls. Save all voicemail messages from the stalker, or record them to a tape recorder and save the digital recording or tapes.
• You can have your phone reject calls from anonymous or unknown callers by contacting your local telephone service provider.
• Acquaint yourself with 24-hour stores and other public, highly populated areas in your neighborhood.
• If someone is following you, never go home.
• Inform security at your place of employment that you are being stalked.
• Inform friends, family, neighbors, and other people you know that you are being stalked so that the stalker cannot get information about you from them.
• If you have a picture of your stalker, give one to people you know at the places you frequent.

If you are in immediate danger, go to a safe place. Contact a friend or family member for support if possible.

Bystander Intervention
Bystander intervention can be as simple as calling the police if you witness a serious situation in progress.
If you feel you are being stalked and want to report it as a crime; you should immediately call the Texas A&M University-Kingsville Police if the incident occurred on campus at 361-593-2611; if the incident happened in the City of Kingsville call the Emergency 911, or Business 361-592-4311 for assistance. If the incident happened outside of Kingsville, report the incident to local law enforcement or other appropriate campus officials.

Law Enforcement Response to Stalking
The responding officer’s primary responsibility will be the victim’s physical well-being and emergency medical needs followed by an investigation to include obtaining preliminary statements, preserving evidence, and documentation with possible arrest. As with any crime, it is important to preserve evidence. Physical and evidentiary articles that substantiate the crime such as text messages, voicemails, videos, letters, photos, cards, unwanted items or gifts and emails should be saved. You should also write down the times, places and dates all the incidents occurred. You should include the names and contact information of people who witnessed what happened and provide this information to the police. Protective orders are meant to protect victims who have experienced or are reasonably in fear of physical violence, sexual assault or stalking by another individual. The Texas A&M University-Kingsville Police Department will provide assistance in the process of obtaining protective orders. Victims have the option of keeping their report of stalking in complete confidence, protecting their right to anonymity, when making a report through the Texas A&M University-Kingsville Health and Wellness, 361-593-3606. Only the victim can make this decision. It may be difficult to make complex decisions immediately after the assault. Talking with someone who can give immediate support and information, such as a sexual assault crisis counselor, a victim/witness advocate, or a family member or friend, may help you make a decision.

Crime Victim Information
Reporting with Intent to Press Criminal Charges
When a victim decides to report the crime to police and to file criminal charges, they need to be aware of the steps involved:
• initial law enforcement officer’s interview
• medical examination
• investigator’s interview
• prosecutor’s interview
• court procedures
This may all seem overwhelming. An understanding of the benefits of reporting encourages many victims to choose to press criminal charges, resulting in the convictions of more defendants. Contact the University Police Department at 361-593-2611.

Option Not to Report
Not all victims want to report crimes to a law enforcement agency. This is an individual decision. Without an official report, however, the law enforcement agency will not know that a sexual assault has occurred. Law enforcement agencies can only help the community when they are aware of crimes being committed. If the assailant was a stranger, the prospect of identifying the suspect greatly decreases over time, and crucial physical evidence will be lost as well. Even if you choose not to report, it is important for your own well-being that you receive medical attention immediately after the assault. Contact Student Health and Wellness 361-593-3991 or Title IX Coordinator at 361-593-4758.

Your Rights as a Crime Victim
Texas Code of Criminal Procedure, Crime Victim’ Rights, Article 56.02, provides that a victim, guardian of a victim are entitled to the following rights:
(1) the right to receive from law enforcement agencies adequate protection from harm and threats of harm arising from cooperation with prosecution efforts;
(2) the right to have the magistrate take the safety of the victim or his family into consideration as an element in fixing the amount of bail for the accused;
(3) the right, if requested, to be informed:
   (A) by the attorney representing the state of relevant court proceedings, including appellate proceedings, and to be informed if those proceedings have been canceled or rescheduled prior to the event; and
   (B) by an appellate court of decisions of the court, after the decisions are entered but before the decisions are made public;
(4) the right to be informed, when requested, by a peace officer concerning the defendant's right to bail and the procedures in criminal investigations and by the district attorney's office concerning the general procedures in the criminal justice system, including general procedures in guilty plea negotiations and arrangements, restitution, and the appeals and parole process;
(5) the right to provide pertinent information to a probation department conducting a presentencing investigation concerning the impact of the offense on the victim and his family by testimony, written statement, or any other manner prior to any sentencing of the offender;
(6) the right to receive information regarding compensation to victims of crime as provided by Subchapter B, including information related to the costs that may be compensated under that subchapter and the amount of compensation, eligibility for compensation, and procedures for application for compensation under that subchapter, the payment for a medical examination under Article 56.06 for a victim of a sexual assault, and when requested, to referral to available social service agencies that may offer additional assistance;
(7) the right to be informed, upon request, of parole procedures, to participate in the parole process, to be notified, if requested, of parole proceedings concerning a defendant in the victim's case, to provide to the Board of Pardons and Paroles for inclusion in the defendant's file information to be considered by the board prior to the parole of any defendant convicted of any crime subject to this subchapter, and to be notified, if requested, of the defendant's release;
(8) the right to be provided with a waiting area, separate or secure from other witnesses, including the offender and relatives of the offender, before testifying in any proceeding concerning the offender; if a separate waiting area is not available, other safeguards should be taken to minimize the victim's contact with the offender and the offender's relatives and witnesses, before and during court proceedings;
(9) the right to prompt return of any property of the victim that is held by a law enforcement agency or the attorney for the state as evidence when the property is no longer required for that purpose;
(10) the right to have the attorney for the state notify the employer of the victim, if requested, of the necessity of the victim's cooperation and testimony in a proceeding that may necessitate the absence of the victim from work for good cause;
(11) the right to counseling, on request, regarding acquired immune deficiency syndrome (AIDS) and human immunodeficiency virus (HIV) infection and testing for acquired immune deficiency syndrome (AIDS), human immunodeficiency virus (HIV) infection, antibodies to HIV, or infection with any other probable causative agent of AIDS, if the offense is an offense under Section 21.02, 21.11(a)(1), 22.011, or 22.021, Penal Code;
(12) the right to request victim-offender mediation coordinated by the victim services division of the Texas Department of Criminal Justice;
(13) the right to be informed of the uses of a victim impact statement and the statement’s purpose in the criminal justice system, to complete the victim impact statement, and to have the victim impact statement considered:
   (A) by the attorney representing the state and the judge before sentencing or before a plea bargain agreement is accepted; and
   (B) by the Board of Pardons and Paroles before an inmate is released on parole;
(14) to the extent provided by Articles 56.06 and 56.065, for a victim of a sexual assault, the right to a forensic medical examination if, within 96 hours of the sexual assault, the assault is reported to a law enforcement agency or a forensic medical examination is otherwise conducted at a health care facility;
(15) for a victim of an assault or sexual assault who is younger than 17 years of age or whose case involves family violence, as defined by Section 71.004, Family Code, the right to have the court consider the impact on the victim of a continuance requested by the defendant; if requested by the attorney representing the state or by counsel for the defendant, the court shall state on the record the reason for granting or denying the continuance; and
(16) if the offense is a capital felony, the right to:
   (A) receive by mail from the court a written explanation of defense-initiated victim outreach if the court has authorized expenditures for a defense-initiated victim outreach specialist;
   (B) not be contacted by the victim outreach specialist unless the victim, guardian, or relative has consented to the contact by providing a written notice to the court; and
   (C) designate a victim service provider to receive all communications from a victim outreach specialist acting on behalf of any person.

Compensation for Victims of Crime
The State of Texas, Code of Criminal Procedure, Article 56.31, recognizes that many innocent individuals suffer personal injury or death as a result of criminal acts. Crime victims and persons who intervene to prevent criminal acts often suffer disabilities, incur financial burdens, or become dependent on public assistance. There is a need for the compensation of victims of crime and those who suffer personal injury or death in the prevention of crime or in the apprehension of criminals. The intent of the law is that the compensation of innocent victims of violent crime encourage greater public cooperation in the successful apprehension and prosecution of criminals.

If you are the victim of a crime in Texas; physically/emotionally injured during the crime; injured trying to stop a crime; injured trying to catch a person who committed a crime; or are the surviving spouse, parent, grandparent, sibling, or child of a victim who was killed, then you may be awarded benefits up to a maximum award of $15,000 for certain unreimbursed losses, such as wages, medical expenses, mental health counseling expenses, funeral/burial expenses up to $3,500, moving expenses up to $1,000, crime scene clean-up expenses, pregnancy expenses resulting from sexual assault, and other reasonable/necessary expenses incurred as a result of the crime (e.g., prescriptions). In order to be eligible to apply you must:

1. Report the crime to a law enforcement agency within a reasonable period of time, but not so late as to interfere with or hamper the investigation and prosecution of the crime.
2. File the application within three years of the date of the crime.
3. Be a United States resident with the crime occurring in Texas or a Texas resident who becomes a victim in a state or country without a compensation program; United States citizenship not required, claim within 1 year from the date of the crime (or show good cause for not doing so).

A victim of child sexual assault has 10 years past the date of their 18th birthday to file a claim. For more information or an application, contact the Kleberg County District Attorney’s Office at 361-595-8544, 700 E. Kleberg Avenue, Kingsville,
Sex Offender Registration
The Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. In accordance with this act, the University Police Department is providing a link to the Texas Department of Public Safety site for registered sex offenders which can be found at the following Department of Public Safety link: https://records.txdps.state.tx.us/soSearch/default.cfm.

Registered Sexual Offender Information: In compliance with State and Federal law, information to registered sex offenders in Texas may be obtained through the Texas A&M University-Kingsville Police Department website or searched at the Texas Department of Public Safety Sex Offender Database website:
https://records.txdps.state.tx.us/SexOffender/


Once in PublicData.com click on link "Click here for FREE SexOffender searches" http://www.criminalcheck.com/. If you cannot access into PublicData.com, click on the “Refresh” icon in the tool bar.

Student Discipline/Student Code of Conduct
Students may be placed on probation with appropriate disciplinary sanctions, suspended or expelled, for committing violent or criminal acts on campus or at campus-related events. In compliance with federal and state laws and regulations, victims of violent crimes, including sexual assaults, will be informed whenever information regarding disciplinary action taken by the university is included in a student file. Both parties are notified simultaneously in writing of the disciplinary outcome and may appeal the outcome. The appeal must be made in writing to the Senior Vice President for Fiscal and Student Affairs (SVPFSA) or designee within three business days after notification of the initial decision. The SVPFSA may handle the appeal or designate an Appeals Officer/Body at his or her discretion. Appeal requests will be reviewed for merit and if filed in a timely manner. The victim is required to keep the results of the disciplinary action and appeal confidential. For further information, contact the Dean of Students (361-593-3606).

Disciplinary Sanctions
The following sanctions may be imposed upon any student or organization found to have violated the Student Code of Conduct. The student or organization may be levied a sanction or combination of sanctions. Record of the student or organization’s disciplinary status and the results of disciplinary proceedings are a part of the student’s confidential records for a period of seven years. As part of the notification of disciplinary action undertaken, the student or organization will be notified in writing of the sanctions imposed, their duration, stipulations and deadlines for completion.

Pending final action on a disciplinary charge or appeal, the student’s status should not be altered nor should his/her right to be present on the campus or his/her privilege to attend classes be suspended except for the following: 1) when the university has imposed immediate suspension action; 2) when a “disciplinary hold” is placed on the student’s academic and/or financial records pending the outcome of disciplinary proceedings or to enforce a disciplinary sanction; or 3) to assist with maintaining order on campus in incidents involving serious cases of class/facility disruptions or threat of violence whereby student(s) involved may be restricted from certain areas or other accommodations made to minimize the opportunity for verbal/physical conflict or retaliation. Once a student or organization has been finally assessed a disciplinary sanction and the appeals process is complete, no more severe major sanctions may be assessed.
against the student or organization by any higher university authority for the infraction in question except in instances where the student or organization does not comply with the initial sanctions that have been imposed.

The sanctions identified below are not inclusive and may be levied in any combination.
1. Warning: A notice in writing to the student/organization that the student /organization is violating or has violated institutional regulations and that the continuation of such conduct or actions could result in further disciplinary action.
2. Probation a written reprimand for violation of specified regulations. Probation is for a designated period of type and includes the probability of more severe disciplinary sanctions if found to violate any institutional regulations or failure to comply with the sanctions imposed by the hearing body.
3. Loss of Privileges: Denial of specified privileges for a designated period of time.
4. Fines: Previously established and published fines may be imposed.
5. Restitution: Compensation for loss, damage, misappropriation or injury. This may take the form of appropriate service and/or monetary or material replacement.
6. Discretionary Educational Sanctions: A provision to complete work assignments, essays, specific educational requirement (i.e., counseling, attending an alcohol workshop, etc.), service to the university or designated community agency, or other related discretionary assignments.
7. Residence Hall Suspension: Separation of the student from university housing for a definite period of time after which the student is eligible to return. Conditions for readmission may be specified. A student has 36 hours upon notification to vacate the premises (except in the case of an interim suspension where the student may be asked to immediately vacate the premises). The student will forfeit the housing deposit and is liable for the prorated rent amount for the period the student resided in the halls as stipulated in the housing agreement. The student may not enter or visit university housing during this period.
8. Residence Hall Expulsion: Permanent separation of the student from the residence halls. A student has 36 hours upon notification to vacate the premises (except in the case of an interim suspension where the student may be asked to immediately vacate the premises). The student will forfeit the housing deposit and is liable for the prorated rent amount for the period the student resided in the halls as stipulated in the housing agreement. The student may not enter or visit university housing during this period.
9. University Suspension: Separation of the student from the University for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified. The student is not entitled to a refund of tuition and/or fees for the term in which the student is suspended. Immediate Interim Suspension – Separation from the university without first receiving notice or a hearing for a period up to 10 calendar days. This sanction may be imposed by the President or designee if he/she determines the student poses a continuing danger to persons or property, or the student’s behavior is an ongoing threat of disrupting the academic process. The student is not entitled to a refund of tuition and/or fees for the term in which the student is on interim suspension.
10. University Expulsion: Permanent separation of the student from the University. The student is not entitled to a refund of tuition and/or fees for the term in which the student is expelled.
11. Revocation of Admission and/or Degree: Admission to or a degree awarded from the University may be revoked for fraud, misrepresentation, or other violation of University standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.
12. Withholding Degree: The University may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Code of Conduct, including the completion of all sanctions imposed, if any.

Right of Due Process
A student or student organization alleged to have engaged in misconduct shall have the right of due process and appeal as delineated in this code. Students may opt to have only an informational hearing with the original hearing officer and waive their rights to a formal hearing with the University Disciplinary Committee or other hearing officer/board. Except in the case of the immediate interim suspension of a student for exigent circumstances and adjudication of Sexual Misconduct Policy allegations which are detailed on the Dean of Students website (www.tamuk.edu/dean), these rights include:
1. A written copy of the charge(s). Notification must be at least three business days before any hearing may proceed.
2. A fair and impartial hearing.
3. Reasonable access to review the case file, which shall be maintained by the university official adjudicating the matter (i.e., hearing officer/College Dean/Dean of Students).
4. Present evidence and witnesses in his/her behalf.
5. Be accompanied at a hearing by an advisor of his/her choice. The advisor cannot actively participate in the hearing or ask questions of the witnesses or the hearing body. The advisor’s role is to advise the student and observe the proceedings.
6. Be present at the hearing during the presentation of any evidence or material on which the decision will be made. If the student fails to attend the scheduled hearing, the hearing will be held in the student’s absence.
7. Request a recording of the hearing in advance at his or her expense.
8. Refuse to answer any question or to make a statement without inference of guilt. However, the hearing officer/body will make a decision on the basis of evidence available at the time of the hearing.
9. Ask questions of anyone presenting oral testimony during a hearing relating to the incident. See specific information regarding oral testimony in a hearing related to cases of sexual misconduct cases (i.e. sexual harassment, sexual assault, sexual violence cases, etc.) on the Dean of Students website (www.tamuk.edu/dean).
10. Right to a written notice on the findings of the investigation and/or hearing, an explanation of the decision, any sanctions assessed, if applicable and the next level of appeal.
11. Right to appeal the decision through the appropriate panel or administrative officer within three business days of notification of the decision.

**Sexual Misconduct Adjudication Procedures**

Judicial proceedings will provide a prompt, fair, and impartial investigation and resolution conducted by officials who receive annual training on issues related to domestic violence as well as dating violence, sexual assault and stalking. The accused has the right to a presumption of not being responsible for a violation until proven responsible as determined by a preponderance of the evidence present at the hearing. To begin a university judicial action, the counselor, police or victim should contact the Office of the Dean of Students at 361-593-3606.

**Due Process Rights in Sexual Misconduct Adjudication Processes**

A student or student organization alleged to have engaged in misconduct shall have the right of due process and appeal as delineated in this code. Students may opt to have only an informational hearing with the original hearing officer and waive their rights to a formal hearing with the University Disciplinary Committee or other hearing officer/board. Except in the case of the immediate interim suspension of a student for exigent circumstances, these rights include:
1. A written copy of the charge(s). Notification must be at least three business days before any hearing may proceed.
2. A fair and impartial hearing.
3. Reasonable access to review the case file, which shall be maintained by the university official adjudicating the matter (i.e., hearing officer/College Dean/Dean of Students).
4. Present evidence and witnesses in his/her behalf.
5. Be accompanied at a hearing by an advisor of his/her choice. The advisor cannot actively participate in the hearing or ask questions of the witnesses or the hearing body. The advisor’s role is to advise the student and observe the proceedings. An attorney cannot serve as an advisor.
6. Be present at the hearing during the presentation of any evidence or material on which the decision will be made. If the student fails to attend the scheduled hearing, the hearing will be held in the student’s absence.
7. Request a recording of the hearing in advance at his or her expense.
8. Refuse to answer any question or to make a statement without inference of guilt. However, the hearing officer/body will make a decision on the basis of evidence available at the time of the hearing.
9. Ask questions of anyone presenting oral testimony during a hearing relating to the incident with the exception of sexual harassment and sexual assault cases.
10. Right to a written notice on the findings of the investigation and/or hearing, an explanation of the decision, any sanctions assessed, if applicable and the next level of appeal.
 Sexual Misconduct Policy

SEXUAL MISCONDUCT (INCLUDING SEXUAL ASSAULT, SEXUAL HARASSMENT, DOMESTIC VIOLENCE, DATING VIOLENCE AND STALKING): Refer to the Student Code of Conduct section regarding sexual misconduct/sexual harassment for details regarding reporting, response, and hearing procedures.

Texas A&M University - Kingsville is committed to creating and maintaining an educational environment free from all forms of sex discrimination, including sexual misconduct. Any action involving sexual harassment, violence, coercion, and intimidation will not be tolerated. Specifically, Texas A&M University - Kingsville strictly prohibits the offenses of domestic violence, dating violence, sexual assault and stalking. These acts have a real impact on the lives of victims. They not only violate a person’s feelings of trust and safety, but they can also substantially interfere with a student’s education.

It is the policy of Texas A&M University - Kingsville that, upon learning that an act of sexual misconduct has taken place, immediate action will be taken to address the situation and hold the accused student accountable. This includes working with state and local law enforcement to bring possible criminal charges and seeking disciplinary action through the university. Texas A&M University - Kingsville encourages the reporting of sexual misconduct that is prompt and accurate. This allows the university community to quickly respond to allegations and offer immediate support to the victim.

Texas A&M University - Kingsville is committed to protecting the privacy of victims, and will work closely with students who wish to obtain confidential assistance regarding an incident of sexual misconduct. The university cannot guarantee complete confidentiality, but it will do everything possible to maintain privacy, and will only share information as needed to address the issue. Licensed professional counselors at Student Health and Wellness are the only individuals who can guarantee confidentiality to a reporter or victim. If you request confidentiality or that the complaint not be pursued, the university may be limited in its ability to respond. Additionally, the university will maintain all related records in accordance with the requirements of FERPA (the Family Educational Rights and Privacy Act of 1974), and will be accomplished without the inclusion of identifying information about the victim, to the extent permissible by law.

Both parties are entitled to a fair and equitable process, and the accused is entitled to due process.

It is the collective responsibility of all members of the Texas A&M University - Kingsville community to foster a safe and secure campus environment. In an effort to promote this environment and prevent acts of sexual misconduct from occurring, the university engages in ongoing prevention and awareness education programs. All incoming students and employees are required to participate in these programs, and all members of the university community are encouraged to participate throughout the year in ongoing campaigns and trainings focused on the prevention of sexual misconduct on campus.

Reporting

In processing reports of sexual misconduct involving students, Texas A&M University - Kingsville follows The Texas A&M University System Policy 08.01, Civil Rights Protections and Compliance and corresponding Regulation 08.01.01, Civil Rights Compliance (http://policies.tamus.edu/08-01-01.pdf). You may also refer to the website for the Texas A&M University - Kingsville Office of Compliance for more information: http://www.tamuk.edu/compliance/index.html

Sexual harassment, sexual assaults, domestic violence, dating violence and stalking should be reported to the Title IX Coordinator, located in the Compliance Office, Lewis Hall 130 or by calling (361) 593-4758. The Title IX Coordinator will work closely with other offices as appropriate. As a matter of Texas A&M University System policy, all faculty and staff who have knowledge of a Title IX related issue must report the issues to the Office of Compliance. The University will
provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services available for victims, both within the University and in the community. The University will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations. The University will make such accommodations if the victim requests them and if they are reasonably available.

Individuals reporting issues of sexual misconduct/sexual harassment will meet with Title IX coordinator, Dean of Students Office, and/or law enforcement (if a criminal report is being made, which is your choice, but is always encouraged). Regardless of whether a victim elects to make a complaint to law enforcement, the University will assist victims of sexual assault, dating violence, domestic violence, and/or stalking. When a student or employee reports to the institution that they have been a victim of sexual assault, dating violence, domestic violence, or stalking, whether the offense occurred on or off campus, the University will provide the student or employee a written explanation of their rights and options.

You will be provided written notification about available resources including counseling, physical and mental health assistance, victim advocacy, and other services available. A student who has been the victim of sexual misconduct may request an academic accommodation or change in residence after a report of sexual misconduct. When reasonable and appropriate, the University will provide accommodations to involved parties upon request. Possible requests include the ability to change academic schedules or work schedules, withdraw from or retake a class without penalty, access academic support such as tutoring services, transportation and change residence hall assignments. The University will maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures. Additional interim measures that may be taken to protect an individual pending the outcome of an investigation/hearing may include contact restrictions, interim suspension of the accused (not to exceed 10 days), or change in course schedule, residence assignment of the accused, and/or other restrictions.

Sexual Harassment
It is the policy of Texas A&M University-Kingsville, that the sexual harassment of students, employees and users of university facilities is unacceptable and prohibited. This stance is consistent with the university’s efforts to maintain equal employment opportunity, equal educational opportunity, non-discrimination in program services, use of facilities, and the affirmative action program. The Compliance Office publishes a policy that gives detailed information about sexual harassment. These are available in the Compliance Office and other offices across campus.

Sexual harassment is the introduction of unwanted sexual activities or comments into the work or learning situation. Oftentimes, sexual harassment involves relationships of unequal power and contains elements of coercion—as when compliance with requests for sexual favors becomes a criterion for granting work, study, or grading benefits. However, sexual harassment may also involve relationships among equals, as when repeated sexual advances or demeaning verbal behavior have a harmful effect on a person’s ability to study or work.

For general policy purposes, sexual harassment may be described as sexual advances, requests for sexual favors, and other physical conduct and expressive behavior of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education; (2) submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual; or (3) such conduct has the purpose or effect of interfering with an individual's academic or professional performance or creating an intimidating, hostile or demeaning employment or educational environment.

In keeping with this policy, Texas A&M University-Kingsville is undertaking an education and prevention plan of action to protect employees, students, and users of university facilities from sexual harassment and to rid the university of such conduct.
Anyone subjected to suspected sexual harassment should contact the Compliance Office at Texas A&M University-Kingsville. Contacts are confidential. Sexual harassment grievances will be handled according to the procedure summarized below.

**Complaint Procedures**

For students, formal complaint procedures can be found in the current Texas A&M University-Kingsville Student Handbook which is found on-line at [http://www.tamuk.edu/dean/dean_files/studenthandbook.pdf](http://www.tamuk.edu/dean/dean_files/studenthandbook.pdf). Informal complaints or concerns can be made verbally or in writing with individual offices on campus.

**Confidentiality**

The university will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence, stalking, or sexual exploitation to the fullest extent possible or required by law. However, when accessing university resources, individuals should be aware of the university’s confidentiality and mandatory reporting obligation in order to make informed choices. Some on-campus resources offer confidentiality, sharing options, and advice without an obligation to disclose identifying information unless the complainant wants them to or when state or federal law requires mandatory reporting. Confidentiality is limited to staff in Student Health and Wellness Department. In addition, complainants may speak on- or off-campus with members of the clergy and chaplains who will keep reports made to them confidential.

Any information provided anonymously or formally will be used in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act for data collection.

**Institutional Disciplinary Action in Cases of Alleged Dating Violence, Domestic Violence, Sexual Assault, Stalking or Sexual Harassment and Misconduct Involving University Employees**

Texas A&M University-Kingsville Statement of Policy and Intent represents our commitment to equal employment and educational opportunity. In conformance with federal and state law and university policy we are guided by the principle that there shall be no difference in the treatment of individuals because of race, color, religion, national origin, sex, age, disability, veteran status. Equal opportunity and access to programs shall be available to all members of the university community, both students and employed personnel at every level, and to all units, facilities, and services of the university.

In the employment of all personnel, the university recognizes that, as a public agency, it has a further commitment: it is obligated to support federal and state policies which seek to achieve equal opportunity in employment for members of underrepresented groups, women, individuals with disabilities, and Vietnam era and disabled veterans. As used in this document, underrepresented groups will include African-American, Hispanic, Asian, Hawaiian/Pacific Islander, American Indian/Alaskan Native. Two important concepts are embodied in equal employment opportunity:

1. Nondiscrimination
2. Affirmative Action

Affirmative action requires more than employment neutrality. It requires Texas A&M University-Kingsville to make efforts to recruit, employ, retain, and promote qualified women, members of underrepresented groups, individuals with disabilities, and Vietnam era and disabled veterans. The affirmative action concept requires positive action to insure against perpetuation of benign neutrality in employment practices.

**Complaint Process**

Any employee or student who experiences, observes or becomes aware of illegal discrimination, sexual harassment and/or related retaliation should promptly report the incident(s) to his or her supervisor or a member official, administrator or other designee identified in the member’s applicable rule. A third party (including, but not limited to, anyone receiving services from the member, vendors and private business associates) should promptly report the
incident(s) involving an employee or student to the member’s human resources office or other office designated to receive such complaints.

An employee or student is not required to report illegal discrimination, sexual harassment and/or related retaliation to a direct supervisor or to the alleged offender. The alleged offense may instead be reported to another member official, administrator, supervisor or other designee identified in the member’s applicable rule.

An employee’s or student’s complaint or appeal alleging illegal discrimination, sexual harassment and/or related retaliation in connection with discipline and/or dismissal should be filed within 10 business days of the action that caused the complaint or it may be deemed untimely filed and dismissed. An employee’s or student’s complaint or appeal alleging illegal discrimination, sexual harassment and/or related retaliation unrelated to discipline and/or dismissal should be filed within 90 calendar days of the most recent incident or it may be deemed untimely filed and dismissed.

Any complaints, appeals or reports of illegal discrimination, sexual harassment, and/or related retaliation shall be reported to System Ethics and Compliance Office (SECO) upon receipt by the designated member office.

The filing of an illegal discrimination, sexual harassment and/or related retaliation complaint will not stop, delay or affect pending personnel actions. This includes, but is not limited to, performance evaluations or disciplinary actions related to a reporter who is not performing at acceptable levels or standards or who has violated system policies, regulations or member rules.

Investigations
The individual(s) or office(s) designated by the member to receive complaints, appeals and/or reports of illegal discrimination, sexual harassment, and/or related retaliation will review each one to determine if there is sufficient information to proceed with an investigation or if additional information is needed. If the information is sufficient, the individual or office will forward the complaint, appeal or report to an appointed investigative authority within five business days of receipt. If the information is insufficient, that individual or office, in consultation with OGC, may conduct an inquiry into the circumstances of the complaint/report/appeal and (a) dismiss it as untimely filed, baseless, or not a violation of civil rights policy; (b) close it for insufficient information to investigate; or (c) refer it to the office(s) which handles complaints or appeals not related to civil rights.

At any point in the process, the respondent (Faculty or staff) may be suspended with pay, reassigned, and/or placed in another type of temporary status pending completion of the investigation and final resolution of the allegations.

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

Both the individual subjected to the alleged illegal discrimination, sexual harassment and/or related retaliation and the respondent must receive equitable treatment in all facets of the complaint and investigation process, including but not limited to the right to representation (if any), the right to present evidence and witnesses, and the right to be informed of the outcome of the investigation.

Timeline for Investigative Process
The investigative authority will review each report, complaint and/or appeal, interview witnesses (if applicable), review relevant documentation, and provide a draft report on the merits of the allegations to OGC for legal sufficiency review within 30 business days of receipt of the complaint. OGC will provide its legal review to the investigative authority.
within 10 business days. The investigative authority will have five business days to finalize the report and submit it to the designated administrator. Circumstances may warrant extensions to the time frames in this section.

Investigation reports should include a statement of the allegation(s), a listing of individuals interviewed including the dates of the interviews, and a listing of relevant documents attached to the report. Reports should not contain speculation, opinions or recommendations for sanctions. However, investigators may provide assessments of the credibility of the parties and any witnesses.

For faculty, staff and third-party cases, investigation reports may conclude that each allegation is substantiated, unsubstantiated, or there is insufficient evidence to determine whether or not the allegation is substantiated. In student conduct cases, the investigation report shall be used as directed in the university’s student conduct rules.

**Standard of Evidence**
In all investigations and subsequent decisions, the standard used to determine the merits of the allegation(s) is the preponderance of the evidence; i.e., more likely than not.

**Sanctions**
Sanctions may have educational, restorative and rehabilitative components for faculty, staff and students. In addition, faculty and staff sanctions may have punitive components. Examples of sanctions may include, but are not limited to:
- written warning or reprimand,
- required training and/or counseling,
- “no contact” order,
- probation for a definite or indefinite period,
- suspension for a definite or indefinite period, and
- employment termination and/or expulsion from an educational institution.

For students, expulsion is a disciplinary action taken to teach a student that their actions and behaviors have consequences, which includes ineligibility to continue as a member of the educational community.

Both the individual subjected to the alleged illegal discrimination, sexual harassment and/or related retaliation and the respondent may be informed in writing of any and all sanctions, except when to do so would violate state or federal law (e.g., Family Educational Rights and Privacy Act).

**Missing Student Notification**
In the event that a member of the campus community has reason to believe that a Texas A&M University-Kingsville student, residing on-campus, is missing, he or she shall immediately notify the University Police Department (UPD) at 361-593-2611. UPD will generate a missing person report and initiate an investigation. In addition, UPD will report the missing person to University Housing & Residence Life. If the student is residing off campus, UPD will assist in contacting the appropriate law enforcement agency. Regardless of whether the student has identified a contact person, is above the age of 18, or is in an emancipated minor, informing the local law enforcement agency that has jurisdiction in the area that the student is missing within 24 hours.

If the investigation determines that the student has been missing over 24 hours then within the next 24 hours, the university will:
- Notify the individual identified as the student’s emergency contact person;
- If under 18 years of age and not emancipated, the university will notify a parent or guardian; and;
- Notify surrounding law enforcement agencies
Contacting Family Members
Individuals identified by the student, and/or the parent(s) if the student is under 18 years of age, will be contacted by
UPD, Housing or the DOS Office within 24 hours of the initial report to the UPD/CSA.

In situations in which the student has failed to designate a contact for missing student notification, UPD will use University
records and resources to continue its investigation. Family members, including those not formally identified by the
student, may be contacted during the course of the investigation to resolve a report of a missing student.

Emergency Contact Registration
The university will request of all new students each year that they provide, on a voluntary basis, emergency contact
information in the event that the student would be reported missing while at the institution. Students identify a contact
on the Student Health Information Form provided during housing check-in. This information is confidential and will be
provided to authorized campus officials and law enforcement in furtherance of their missing person investigation.
Students who wish to identify a confidential contact may do so by submitting the information online through Blue & Gold.
This information may be updated later by the student as needed through Blue & Gold.

Reporting a Missing Student
Any concerned person should notify the University Police Department, 361-593-2611, or a campus security authority (CSA)
of a belief that a student has been missing for 24 hours. CSA’s include, but are not limited to,

- Vice President of Student Affairs/Dean of Students
- University Housing and Residence Life staff members such as the:
  - Executive Director,
  - Director of Housing,
  - Associate Director of Residential Education,
  - Assistant Director of Residence Life, and
  - Area Coordinators, Head Residents and Resident Advisors,
- UPD staff 361-593-2611

The phone number for Housing is 361-593-3419, additional telephone numbers for each hall are as follows:
  - Bishop Hall 361-593-3527;
  - Lewis Hall 361-593-4652;
  - Lynch Hall 361-593-2577;
  - Martin Hall 361-593-3239;
  - Mesquite Village-West 361-4569;
  - Turner Hall 361-593-3829; and
  - Lucio Hall 361-593-4559.

A missing person is an individual whose whereabouts are unknown; they have disappeared for no known reason and there
is reasonable concern for their well-being and safety. If a student or employee is believed to be missing and there is
reasonable concern for his or her well-being and safety, call the police immediately.

A student enrolled at the university at either a full- or part-time status, who is perceived by the reporting person to be
overdue in reaching home, campus, or another specific location, and there is an identifiable concern for the well-being of
the student, may be reported as a missing student.

Any university employee receiving a complaint of a missing student must notify UPD and provide further information
related to the reported missing student. Be prepared to provide the following information:

- The missing person’s full name and nicknames or aliases
- Full description to include sex, race, date of birth (age), height, weight, eye color, and hair color
- Photograph
- Medications
- Vehicle information
- Unusual or visible physical attributes such as birthmarks, tattoos, scars, or piercings
- Date and time of last contact
- Last known whereabouts
- What they were last seen wearing
- Who they were last seen with
- Fingerprints, recent photos, dental records, and all other significant and relevant information, if available

**Weapons Policy**

Texas A&M University-Kingsville strives to provide a safe and secure environment for its students, staff and faculty. Texas A&M University-Kingsville prohibits the possession or storage of any weapons, fireworks or explosives on university premises or at any university-sponsored activity, except in the following cases: law enforcement personnel engaged in the official performance of their assigned duties; approved university experiments and/or projects; transporting of firearms to and from a place of storage; Texas A&M University - Kingsville ROTC; and other approved academic use. The term “weapons” may be defined as any object or substance designed to inflict a wound, cause injury or incapacitate.

**Weapons as defined in Texas Penal Code, Chapter 46, include, but are not limited to:**
- Handguns, revolvers, pistols, BB guns, pellet guns, stun guns, etc.
- Chemical weapons and/or explosives (including bullets or fireworks)
- Knives, bows and arrows; slingshots
- Martial arts weapons

Toy weapons that look like real weapons are similarly prohibited on campus. University officials encourage anyone who has or owns any weapon to contact the University Police Department to arrange for storage of such items. The University police department will secure all weapons providing a receipt for items stored, each item will be checked for status and before the item is returned, a criminal history check will be conducted. All requests, exceptions and interpretation of this policy will be managed by the University's Director of Public Safety/Chief of Police. (361-593-2611)

**Clery Report for Campus Crime Statistics**

**Reporting Requirements**

The United States Department of Education, in its Higher Education Amendments of 1999, published final rules and regulations providing clarification for crime reporting requirements under the Jeanne Clery Disclosure of Campus Security Policy & Campus Crime Statistics Act. An institution must report statistics concerning the occurrence on campus, on related non-campus property and on public property of the following crimes:
- Murder
- Manslaughter
- Sex offenses, forcible and/or non-forcible sex offenses
- Aggravated assault
- Burglary
- Arson
- Motor-vehicle theft
- Robbery
- Statistics concerning the criminal offenses of murder, forcible rape and aggravated assault which manifest evidence of prejudice based on race, gender, religion, sexual orientation, ethnicity, disability, national origin or sexual orientation, gender identity as prescribed by the Hate Crimes Statistics Act.
Additionally, statistics concerning the number of arrests and disciplinary referrals for the following crimes must be provided:

- Liquor-law violations
- Drug-related violations
- Weapon possession violations
- Hate crime statistics concerning the above crimes which manifest evidence of prejudice based on race, religion, sexual orientation, ethnicity, disability, national origin or sexual orientation as prescribed by the Hate Crimes Statistics Act, and
- Domestic violence, dating violence and stalking incidents that were reported to campus security authorities or local police agencies.

**Clery Crime Definitions**

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

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

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

**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, or by putting the victim in fear.

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by 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 that could and probably would result in serious personal injury if the crime were successfully completed).

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

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

**Sex Offenses:** Any sexual act directed against another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent. The term “Sexual Assault” encompasses an offense that meets the definition of the following:

- **Rape:** 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, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.
- **Incest:** Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** Non-forcible sexual intercourse with a person who is under the statutory age of consent.
**Domestic Violence**: Violence committed by a current or former spouse or intimate partner of the complainant, by a person with whom the complainant shares a child in common, by a person who is cohabitating with or has cohabitated with the complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the complainant 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 complainant 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.

**Dating Violence**: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on: 1) the reporting party’s statement and with, 2) consideration of the length of the relationship, 3) type of relationship, and 4) frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

**Stalking**: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to: A) Fear for the person’s safety or the safety of others, or B) Suffer substantial emotional distress. Examples of stalking behaviors include, but are not limited to, nonconsensual communication, including face-to-face contact, telephone calls, voice messages, email, texts, written letters; unwanted gifts; threatening or obscene gestures; pursuing or following; surveillance or other observation; trespassing; vandalism; and nonconsensual touching.

**Hate Crimes**: If any of the aforementioned crimes, or larceny-theft; simple assault; intimidation; destruction, damage, or vandalism of property; or any other crime involving bodily injury, manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim’s actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity/national origin, or disability, then the incident must be reported as a hate crime.

**Weapon Law Violations**: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

**Drug Abuse Violations**: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadones); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

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

**Unfounded crimes**: An institution may withhold, or subsequently remove, a reported crime from its crime statistics in the rare situation where sworn or commissioned law enforcement personnel have fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore “unfounded.” Only sworn or commissioned law enforcement personnel may “unfound” a crime report. The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, and the failure to make an arrest do not “unfound” a crime report.
## 2014 CAMPUS CRIME REPORT – Kingsville Campus
(Based on 2012, 2013, 2014 data)

### Criminal Offenses - On-Campus

<table>
<thead>
<tr>
<th>Criminal offense</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>Unfounded</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Murder/Non-negligent manslaughter</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>b. Negligent manslaughter</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>c. Sex offenses - Forcible</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rape</td>
<td>X</td>
<td>X</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>Fondling</td>
<td>X</td>
<td>X</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>Forcible Sex Offense</td>
<td>3</td>
<td>6</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Statutory Rape</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Incest</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>d. Sex offenses - Non-forcible (includes only incest and statutory rape)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>e. Robbery</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>f. Aggravated assault</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>g. Burglary</td>
<td>44</td>
<td>34</td>
<td>30</td>
<td></td>
</tr>
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<td>h. Motor vehicle theft</td>
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<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>i. Arson</td>
<td>1</td>
<td>2</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>j. Domestic Violence</td>
<td>X</td>
<td>X</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>k. Dating Violence</td>
<td>X</td>
<td>4</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td>l. Stalking</td>
<td>X</td>
<td>0</td>
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### Criminal Offenses - On-Campus in Residence Halls

<table>
<thead>
<tr>
<th>Criminal offense</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>Unfounded</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Murder/Non-negligent manslaughter</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
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<tr>
<td>b. Negligent manslaughter</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>c. Sex offenses - Forcible</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rape</td>
<td>X</td>
<td>X</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>Fondling</td>
<td>X</td>
<td>X</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>Forcible Sex Offense</td>
<td>1</td>
<td>2</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Statutory Rape</td>
<td>X</td>
<td>X</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Incest</td>
<td>0</td>
<td>X</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>d. Sex offenses - Non-forcible (Include only incest and statutory rape)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>e. Robbery</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>f. Aggravated assault</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>g. Burglary</td>
<td>30</td>
<td>32</td>
<td>24</td>
<td></td>
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<tr>
<td>h. Motor vehicle theft</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>i. Arson</td>
<td>0</td>
<td>2</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>j. Domestic Violence</td>
<td>X</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>k. Dating Violence</td>
<td>X</td>
<td>4</td>
<td>11</td>
<td></td>
</tr>
<tr>
<td>l. Stalking</td>
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### Criminal Offenses – Non-Campus

<table>
<thead>
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<th>Criminal offense</th>
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<th>2013</th>
<th>2014</th>
<th>Unfounded</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Murder/Non-negligent manslaughter</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>b. Negligent manslaughter</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>c. Sex offenses - Forcible</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d. Sex offenses - Non-forcible (includes only incest and statutory rape)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>e. Robbery</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>f. Aggravated assault</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>g. Burglary</td>
<td>30</td>
<td>32</td>
<td>24</td>
<td></td>
</tr>
<tr>
<td>h. Motor vehicle theft</td>
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<td>0</td>
<td>0</td>
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<tr>
<td>i. Arson</td>
<td>0</td>
<td>2</td>
<td>4</td>
<td></td>
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<tr>
<td>j. Domestic Violence</td>
<td>X</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>k. Dating Violence</td>
<td>X</td>
<td>4</td>
<td>11</td>
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<tr>
<td>l. Stalking</td>
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<tr>
<td>Criminal Offenses - Public Property</td>
<td>2012</td>
<td>2013</td>
<td>2014</td>
<td>Unfounded</td>
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<tr>
<td>-----------------------------------</td>
<td>------</td>
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<td>------</td>
<td>-----------</td>
</tr>
<tr>
<td>a. Murder/Non-negligent manslaughter</td>
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<tr>
<td>b. Negligent manslaughter</td>
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<td>0</td>
<td>0</td>
<td>0</td>
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<td>c. Sex offenses - Forcible:</td>
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<tr>
<td>Rape</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Fondling</td>
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<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Forcible sex offenses</td>
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<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Statutory rape</td>
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<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Incest</td>
<td>0</td>
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<td>0</td>
</tr>
<tr>
<td>d. Sex offenses - Non-forcible</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>(Include only incest and statutory rape)</td>
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<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>e. Robbery</td>
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<td>0</td>
</tr>
<tr>
<td>f. Aggravated assault</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>g. Burglary</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0</td>
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<td>Fondling</td>
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<td>l. Intimidation</td>
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<td>m. Destruction/damage/vandalism of property</td>
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**Hate Crimes - On-Campus in Residence Halls**

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<td>0</td>
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<tr>
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<td>f. Aggravated assault</td>
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<td>j. Simple assault</td>
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<tr>
<td>l. Intimidation</td>
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**Hate Crimes - Non-Campus**

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<tr>
<td>Rape</td>
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<td>0</td>
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<tr>
<td>Fondling</td>
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<tr>
<td>Forcible Sex Offense</td>
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</tr>
<tr>
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</tr>
<tr>
<td>Incest</td>
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incest and statutory rape)  
e. Robbery 0 0 0  
f. Aggravated assault 0 0 0  
g. Burglary 0 0 0  
h. Motor vehicle theft 0 0 0  
i. Arson 0 0 0  
j. Simple assault 0 0 0  
k. Larceny-theft 0 0 0  
l. Intimidation 0 0 0  
m. Destruction/damage/vandalism of property 0 0 0  

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<td>d. Sex offenses - Non-forcible (Includes only incest and statutory rape)</td>
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<tr>
<td>f. Aggravated assault</td>
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<td>0</td>
<td>0</td>
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<tr>
<td>g. Burglary</td>
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<tr>
<td>h. Motor vehicle theft</td>
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<td>i. Arson</td>
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<td>0</td>
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<tr>
<td>j. Simple assault</td>
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<tr>
<td>k. Larceny-theft</td>
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<tr>
<td>l. Intimidation</td>
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<tr>
<td>m. Destruction/damage/vandalism of property</td>
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REPORTED HATE CRIMES:
Categories of bias include the victim's actual or perceived - Race; Gender; Gender identity; Religion; Sexual orientation; Ethnicity; National origin; and Disability.
In 2012 there were no reported hate crimes
In 2013 there were no reported hate crimes
In 2014 there were no reported hate crimes

<table>
<thead>
<tr>
<th>Arrests- On-Campus</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>Unfounded</th>
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<tbody>
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<td>a. Illegal weapons possession</td>
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<tr>
<td>b. Drug law violations</td>
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<td>c. Liquor law violations</td>
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## Disciplinary Referrals – On-Campus

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<td>b. Drug law violations</td>
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## Arrests - Residence Halls

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<th>Unfounded</th>
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## Disciplinary Referrals - Residence Halls

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## Arrests – Non-Campus

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<tr>
<td>b. Drug law violations</td>
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<tr>
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## Disciplinary Referrals - Non-Campus

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<td>b. Drug law violations</td>
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## Arrests - Public Property

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## Disciplinary Referrals - Public Property

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<td>b. Drug law violations</td>
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<td>c. Liquor law violations</td>
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</table>
Crimes Reported by City of Kingsville Police Department:
The City of Kingsville Police Department responded to the Texas A&M University Kingsville request for crimes that occurred on streets that are adjacent to university campus or places the university owns or controls property: Those locations are as follow:
800 - 1300 blocks North Armstrong Street
800 – 1200 blocks of West Santa Gertrudis Avenue
800 – 1100 blocks of West Richard Avenue
700 – 1900 West Corral Avenue (FM 1898)
800 – 1400 N. Santa Rosa Drive
600 N. Retama Street
200 E. Kleberg Avenue/100 S. 7th Street

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<th>Jun</th>
<th>Jul</th>
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<th>Sep</th>
<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
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The Texas A&M University-Kingsville Police Department does not respond to calls for service on the Weslaco Campus.

Preparation of the Annual Security and Annual Fire Safety Report
The Annual Security Report (ASR) and Annual Fire Safety Report (AFSR) is required by the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act (the Clery Act). The report includes, but is not limited to: campus safety and security policy statements and disclosures; statistics for Clery Act crimes for Texas A&M University-Kingsville property, adjacent property, and non-university property owned or controlled by the university for the previous three years; and fire statistics for on-campus student housing facilities for the previous three years. To prepare the Annual Security and Fire Safety Report, the university, through the University Police Department, collects, classifies, and counts crime statistics. Crime statistics are collected throughout the year from UPD and members of the university designated as Campus Security Authorities (CSA). Crime statistics are also requested from local law enforcement agencies in jurisdictions where the university owns or controls property.

The Texas A&M University-Kingsville University Police Department (UPD) is responsible for preparing and distributing this report by October 1 each year. UPD works with many other departments and agencies, such as the Offices of the Dean of Students’ (including Maxient Reports), Housing and Residential Life, Student Health and Wellness, Compliance Office and the Kingsville Police Department to compile the information. UPD encourages members of the campus community to use this report as a guide for safe practices on and off campus. It is available on the Web at: http://www.tamuk.edu/dean/cleryreport.html. A PDF version of the report can be located directly at http://www.tamuk.edu/dean/dean_files/cleryreport.pdf

Distribution of the Annual Security Report and the Annual Fire Safety Report
The Annual Security Report and Annual Fire Safety Report is distributed as follows:

3. Current Students and Employees: The Director of Public Safety/Chief of Police and the Assistant Vice President of Student Affairs/Dean of Students and/or their designees, will distribute information about the availability of the Annual Security and Fire Safety Report to all current students and employees of their respective campuses. The information about how to access the report will be distributed to each individual directly by campus electronic mail. A copy may also be obtained by contacting the Dean of Students Office, Room 306 in the Memorial Student Union, or the Texas A&M University-Kingsville Police Department, Seale Hall, 825 W. Santa Gertrudis. Enrolled students at the main campus, TSTC Harlingen Campus- MIT-C, Citrus Center (Weslaco), South Texas College Mid-Valley Campus (Weslaco), and on-line, will receive the notice directly from Texas A&M
Prospective Students and Employees:

a. Notice of the Annual Security Report and Annual Fire Safety Report’s availability, including a description of the report's contents, and the opportunity to request a copy of the report will be provided to Prospective Students and Employees by email. Prospective students will be defined as individuals who have indicated interest in the university by providing their contact information during a campus tour, campus event, high school career event, or through submission of official application for admission. Prospective students will receive email correspondence indicating the notice of the ASR and AFSR availability, description of the report contents, a link to the report, and how to request a copy of the report. Prospective employees may obtain the report from the Human Resources Employment website. They will also be notified individually of the availability of the Clery report when the prospective employee creates a username and password to gain access into JavJobs or San-Antonio’s job database, the university employment websites. A link to the full report will be included in the email notification. The full report will be provided upon request to all Prospective Students and Prospective Employees.

b. The same process of notification of current students, faculty, and staff, and prospective students and employees, is being used at Texas A&M University-San Antonio for the full Annual Security Report.

c. Faculty, staff and students at the MIT-C and Mid Valley Campus (Weslaco) receive notices through the campus email system.

Availability of the Annual Security and Annual Fire Safety Report

The report is available on the Texas A&M University-Kingsville website at [http://www.tamuk.edu/dean/cleryreport.html](http://www.tamuk.edu/dean/cleryreport.html). Copies of the report also may be obtained at the University Police Department located at room 101 in Seale Hall or by calling 361-593-2611. Copies may also be obtained from the Office of the Dean of Students. All prospective employees may obtain a copy from the office of Human Resources in College Hall, room 210 or by calling 361-593-3705.

Printed copies also are available in the Senior Vice President for Student Affairs, Enrollment Management and University Administration Office, College Hall, room 206; Office of the Dean of Students, Memorial Student Union, room 306; and University Police Department, Seale Hall room 109.

Information regarding the availability of the report, website location and where to access printed copies is announced during new faculty and staff orientation, new student orientation and other campus presentations, and published in the current student handbook and university catalog.

Definitions of Terms and Crime Definitions

The following information comes from a variety of sources, including the Department of Education’s Handbook for Campus Safety and Security Reporting (2011); Uniform Crime Reporting Handbook; Sex Offenses definitions from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program; and definitions of domestic violence, dating violence, and stalking adapted from the amendments made to the Violence Against Women Reauthorization Act of 2013; and Texas statutes. The following definitions are used when preparing the annual disclosure of crime statistics.

**Advisor:** Any individual who provides the accuser or accused support, guidance, or advice.

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury; usually accompanied by use of a weapon or by means likely to produce death or great bodily harm, though it is not necessary that physical injury actually occur.
Anonymous: An individual gives no personal information about himself/herself.

Arrest: Persons processed by arrest, citation or summons.

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

Awareness Programs: 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.

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.

Business day: Monday through Friday, excluding any day when the institution is closed.

Bystander intervention: 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.

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 within or reasonably contiguous to the area that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

Campus security authority: A campus police department or a campus security department of an institution; any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department, such as an individual who is responsible for monitoring entrance into institutional property; any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses; and, an official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. If such an official is a pastoral or professional counselor as defined below, the official is not considered a campus security authority when acting as a pastoral or professional counselor.

Clergy geography. For the purposes of collecting statistics on the reportable crimes for submission to the Department and inclusion in an institution's annual security report, Clergy geography includes - buildings and property that are part of the institution's campus; the institution's noncampus buildings and property; and public property within or immediately adjacent to and accessible from the campus.

Coercion: A threat, however communicated to commit an offense; to inflict bodily injury in the future on the person threatened or another; to accuse a person of any offense; to expose a person to hatred, contempt, or ridicule; to harm the credit or business repute of any person; or to take or withhold action as a public servant, or to cause a public servant to take or withhold action.
Conduct: An act or omission and its accompanying mental state

Confidential: Any time a person requests a pseudonym for confidentiality during a crime investigation, the person will need to provide some personal information about himself/herself to the police officer conducting the investigation or the follow-up investigation. Personal information may include a name, phone number, address, birthdate, and/or social security number. This information will NOT to be provided to anyone not involved in the investigation.

Consent: According to Texas Penal Code, consent is permission; assent in fact, whether express or apparent. Consent is further defined in the University Sexual Misconduct rule as words or actions, as long as those words or actions create clear permission regarding willingness to engage in, and the conditions of sexual activity. Consent to some form of sexual activity cannot be automatically taken as consent to any other form of sexual activity. Silence alone cannot be assumed to show consent. Absence of resistance does not imply consent. Previous relationships of prior consent cannot imply consent to any future acts. Consent cannot be obtained by coercion, force, or the threat of either. Consent can be withdrawn at any time. Consent – clear and voluntary agreement to engage in a specific sexual activity. A person who was asleep or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason, or whose agreement was made under duress or by threat, coercion, or force, cannot give consent. Consensual – involving or based on mutual consent. (For additional information consult Texas A&M University System policy 08.01.01)

Consent includes consent by a person legally authorized to act for the owner. Consent is not effective if induced by force, threat, or fraud; given by a person the actor knows is not legally authorized to act for the owner; given by a person who by reason of youth, mental disease or defect, or intoxication is known by the actor to be unable to make reasonable decisions; or given solely to detect the commission of an offense. An individual who is incapacitated, unconscious, or unaware that the sexual assault is occurring is considered unable to give consent. For the purposes of this rule, a person who is asleep or unconscious is incapacitated, without exception. When alcohol or other drugs are being used, a person will be considered incapacitated if they cannot fully understand the details of a sexual interaction because they lack the capacity to reasonably understand the situation (e.g., to understand the “who, what, when, where, or how” of their surroundings). Sexual contact with someone who you know or reasonably should know to be mentally or physically incapacitated constitutes a violation of this rule. Intoxication or being under the influence of illegal drugs is not an excuse for failure to obtain consent.

Dating Violence: Violence committed by a person: who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse, but dating violence does not include acts covered under the definition of domestic violence. Student Code of Conduct: Dating Violence – An act, other than a defensive measure to protect oneself, by an individual against a victim with whom there is or was a romantic or intimate relationship or marriage, and that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably results in a fear of such harm. (Texas Family Code 71.0021)(Texas A&M University System policy 08.01.01)

Disability: An individual, (a) a physical or mental impairment that substantially limits one or more major life activities of such individual; b) a record of such impairment; or (c) being regarded as having such an impairment.

Domestic Violence: Felony or misdemeanor crimes of violence committed by a current or former spouse 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. Student Code of Conduct: Domestic Violence – An act against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault, or the threat of which reasonably causes fear of such harm.

**Drug Law Violations:** Violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drugs or narcotic substance.

**Federal Bureau of Investigation's (FBI) Uniform Crime Reporting (UCR) program:** A nationwide, cooperative statistical effort in which city, university and college, county, State, Tribal, and federal law enforcement agencies voluntarily report data on crimes brought to their attention. The UCR program also serves as the basis for the definitions of crimes and the requirements for classifying crimes.

**Hate Crimes:** A crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of this section, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

**Hate Crimes and Hate Incidents:** Any act of physical intimidation or physical harassment, physical force or physical violence, or the threat of physical force or violence, that is directed against any person or group of persons because of the ethnicity, race, national origin, religion, sex, sexual orientation, gender identity, disability or political/religious beliefs of that person or group.

Hierarchy Rule: A requirement in the FBI's UCR program that, for purposes of reporting crimes in that system, when more than one criminal offense was committed during a single incident, only the most serious offense be counted.

**Liquor Law Violations:** The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possession of intoxicating liquor. (Drunkenness and driving under the influence are not included in this definition).

**Location of Crime:**
- **On campus:** Anywhere on the university campus, includes all properties owned by the university and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes; or reasonably contiguous to the area and owned by the university but controlled by another person, is frequently used by students and supports the institutional purpose.
- **Residence Facilities:** University owned or operated residential facilities (extracted from on campus statistics).
- **Non-campus Property:** Building or property owned or controlled by institution in direct support of or in relations to the institution’s educational purposes; is frequently used by students and is not within the same reasonably contiguous geographic area of the university, or is owned or controlled by a student organization that is officially recognized by the university.
- **Public Property:** All public property, including thoroughfares, streets, sidewalks and parking facilities within the campus or immediately adjacent to and accessible from campus.

**Manslaughter:** The unlawful killing of a human being without malice.

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

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle.
Negligent manslaughter: The killing of another person through gross negligence.

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.

Ongoing prevention and awareness campaigns: 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.

Pastoral counselor: A person, who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.

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

Proceeding: 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 victims concerning accommodations or protective measures to be provided to a victim.

Prohibition on retaliation: An institution, or an officer, employee, or agent of an institution, may not retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities.

Professional counselor: A person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.

Programs to prevent dating violence, domestic violence, sexual assault, and stalking: 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 or 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. Programs to prevent dating violence, domestic violence, sexual assault, and stalking include both primary prevention and awareness programs directed at incoming students and new employees and ongoing prevention and awareness campaigns directed at students and employees.

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.

Referred for Disciplinary Action: The referral of any person to any official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.
Result: Any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions imposed by the institution. The result must also include the rationale for the result and the sanctions. Compliance with this section does not constitute a violation of FERPA.

Risk reduction: 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.

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

Sex Offenses:
- **Forcible Fondling**: The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person’s will, or not forcibly or against the person’s will where the person is incapable of giving consent.
- **Forcible Rape**: The carnal knowledge of a person forcibly and/or against that person’s will; or not against the person’s will where the victim is incapable of giving consent.
- **Forcible Sodomy**: Oral or anal sexual intercourse with another person, forcibly and/or against that person’s will; or not against the person’s will where the victim is incapable of giving consent.
- **Incest**: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **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. This definition includes any gender of victim or perpetrator. Sexual penetration means 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, or by a sex-related object. This definition also includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol) or because of age. Physical resistance is not required on the part of the victim to demonstrate lack of consent. ("Rape" is now inclusive of rape, sexual assault, sexual assault with an object, and forcible sodomy and can be perpetrated against both women and men.)
- **Sexual Assault**: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the uniform crime reporting system of the Federal Bureau of Investigation.
- **Sexual Assault**: (University Sexual Misconduct rule) Any intentional or knowing penetration of the sex organs, anus, or mouth without the other person's consent
- **Non-consensual sexual intercourse**: The oral, anal, or vaginal penetration, however slight, by a sexual organ of another and/or the anal or vaginal penetration, however slight, by any means, against the victim's will or without his/her consent.
- **Non-consensual sexual contact**: Attempting to or making physical sexual contact, however slight, including but not limited to inappropriate touching or fondling without consent. This includes using force or coercion to cause a person to make physical sexual contact on their body or the body of another.
- **Sexual Assault with an Object**: The use of an object or instrument to unlawfully penetrate the genital or anal opening of the body of another person, forcibly and/or against the person's will, or not against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- **Sexual Exploitation**: (University Sexual Misconduct) - A situation in which an individual take non-consensual or abusive sexual advantage of another for his or her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited. For example, sexual exploitation could include such actions as secretly videotaping sexual activity, voyeurism, sexually-based stalking, invasion of sexual privacy, and knowingly transmitting a sexually transmitted infection to another person.
• **Sexual Harassment**: A form of sex discrimination. Unwelcome sexual advances, requests for sexual favors and other verbal, nonverbal or physical conduct of a sexual nature constitute sexual harassment when this conduct is so severe, persistent or pervasive that it explicitly or implicitly affects an individual’s employment, unreasonably interferes with an individual’s work or educational performance, or creates an intimidating or hostile work or educational environment. Sexual harassment includes non-consensual sexual contact, non-consensual sexual intercourse and sexual exploitation. Sexual exploitation occurs when an individual takes non-consensual or abusive sexual advantage of another for his or her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited. For example, sexual exploitation could include such actions as secretly videotaping sexual activity, voyeurism, sexually-based stalking and invasion of sexual privacy. (University Sexual Misconduct rule) Sexual Harassment – Sexual harassment is a form of sex discrimination. Unwelcome sexual advances, requests for sexual favors and other verbal, nonverbal or physical conduct of a sexual nature constitute sexual harassment when this conduct is so severe, persistent or pervasive that it explicitly or implicitly affects an individual’s employment, unreasonably interferes with an individual’s work or educational performance, or creates an intimidating or hostile work or educational environment. Unwelcome means that an individual did not request or invite it and considers the conduct to be undesirable or offensive. Submission to the conduct or failure to complain does not always mean that the conduct was welcome. Sexual harassment includes non-consensual sexual contact, non-consensual sexual intercourse, sexual exploitation, and stalking, dating violence, and domestic violence based on sex.

• **Sexual Misconduct**: (University Sexual Misconduct rule) A broad term that includes Non-Consensual Sexual Contact, Non-Consensual Sexual Intercourse, Sexual Violence, and Sexual Harassment as defined in this rule. Under this rule, all individuals are covered, regardless of sexual orientation, gender, and/or gender identity.

• **Sexual Violence**: (University Sexual Misconduct rule) Physical sexual acts perpetrated against a person’s will or when a person is incapable of giving consent. A number of different acts fall into the category of sexual violence, including sexual assault, sexual battery, sexual abuse, sexual coercion, and sexual exploitation.

• **Statutory Rape**: Non-forcible sexual intercourse with a person who is under the statutory age of consent.

**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. **Reasonable person** means a reasonable person under similar circumstances and with similar identities to the victim. **Substantial emotional distress** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. Stalking – knowingly engaging in conduct, including following a person, that one reasonably believes is threatening the bodily injury or death of themselves, a member of their family or household, or their property. (Texas Penal Code 42.072)(Texas A&M University System policy 08.01.01)

**Test**: Regularly scheduled drills, exercises, and appropriate follow-through activities, designed for assessment and evaluation of emergency plans and capabilities.

**Unfounded**: A complaint that is determined through investigation to be false or baseless. If the investigation shows that no offense occurred nor was attempted, procedures dictate that the reported offense must be unfounded.

**Weapon Law Violations**: Violations of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons.

**Texas A&M University-Kingsville Police**

**Our Mission**
Our mission is to provide the University community with a safe and secure learning and working environment by providing the highest quality police services, which include prompt response, availability of officers and informational and instructional services.

**Emergencies:** Dial 9-1-1 (Campus Phone)
For a non-emergency call for locations located in the City of Weslaco or Hidalgo County, Rio Grande Valley, please contact the appropriate law enforcement or fire agencies at the numbers below:

- City of Weslaco Police 956-968-8591
- City of Weslaco Fire Station 956-968-7581
- Weslaco Crime Stoppers 956-968-TIPS(8477)
- Hidalgo County Sheriff’s Office 956-383-8114
- South Texas College Police 956-872-2589
- Texas A&M University-Kingsville Police, Non-Emergency Assistance: Dial 361-593-2611

Located at 825 W. Santa Gertrudis Avenue, Seale Hall, Kingsville, Texas, the Texas A&M University – Kingsville Police Department is open 24 hours a day, 365 days a year. The department consists of professional campus police and telecommunication officers dedicated to providing excellent customer service to the community. Officers patrol the campus on foot, by bicycle, Segways, golf cart and in vehicles. Officers and a supervisor are on duty 24 hours a day. The Dispatch Center is staffed with trained and certified dispatchers who answer calls for service, dispatch officers and other emergency services to incidents, and monitor intrusion detection and fire alarms. The department also employs students who carry out a variety of roles, including parking enforcement and assist officers in providing campus escorts.

**Reporting Crimes to University Police**
Texas A&M University-Kingsville and the University Police Department (UPD) encourage the immediate or prompt reporting of any incident that compromises the safety, health or rights of university community members. All students, employees, and visitors should promptly report criminal incidents, accidents, other emergencies (i.e., fire, ambulance, etc.), and suspicious person(s) or activities to the University Police Department (361-593-2611) or 911 (the university police department is not a designated public answering point for 911 calls, the Kingsville Police Department receives and answers all 911 calls in the city’s geographical and refers any 911 calls from the university to the UPD dispatcher for appropriate action.) Persons who are deaf or hard of hearing should call 911 from a TTY/TDD telephone to reach KPD, KPD also operates its own dispatch center 24 hours a day. The University police department also has TTY/TDD for non-emergency calls at 361-593-2611.

Individuals also may report incidents in person at the University Police Department’s, located at 825 W. Santa Gertrudis Avenue, Kingsville campus. After receiving information concerning a crime or an emergency, the University Police Department (UPD) will ensure an effective investigation and appropriate follow-up actions, which may include issuing timely warning notifications to alert the campus community about crimes that pose a serious or continuing threat to safety, or issuing emergency notification and evacuation procedures to alert the campus community about significant emergencies or dangerous situations. Reporting all incidents to UPD also allows for accurate reporting of crime statistics in public disclosures such as the Annual Security and Fire Safety Report and the Daily Crime and Fire Log.

Campus community members, faculty, staff and students are strongly encouraged to immediately report criminal activity, other emergencies, suspicious activity to the University Police Department or a local law enforcement agency promptly. Reports will be thoroughly investigated and results will be forwarded to the appropriate prosecutorial entity, the Dean of Students Office, the Human Resources office, Compliance Office or Title IX as appropriate.
The University has installed emergency two-way call boxes (blue light phones) throughout campus for use during emergencies. By pressing the red button on the stations, users can communicate directly with our Dispatchers. The location of the station is digitally displayed to the tele-communications officer. The campus community can also take advantage of the university’s Rave Guardian app, which is called JavGuard, to communicate directly with University police or 911 operator, send text or photographic information to the University police about crimes, numerous incidents or request police assistance, or set a timer to notify people you trust to check on you when you are alone or in an unfamiliar place.

The University Police Department will take the following actions as necessary:
- Dispatch police, fire and/or medical assistance as needed to the scene of the incident or if a non-emergency ask the victim to report the incident at the UPD office.
- Investigate or assist allied agencies with the situation.
- Take appropriate actions to identify, apprehend and submit for prosecution to the courts, the responsible person(s)
- Notify or request assistance from other law enforcement agencies and/or other allied agencies as appropriate
- Document occurrences or take appropriate action and/or notify appropriate agency/departments.
- UPD incident reports involving misconduct by students, faculty or staff may be forwarded to the Dean of Students Office or the Human Resources office for review and potential disciplinary action. UPD investigators will investigate a report when it is deemed appropriate. Additional information obtained via the investigation also will be forwarded to the Dean of Students office or Human Resources Office.

**Enforcement Authority/Other Police Agencies**

UPD is the primary respondent for campus emergencies and reports of criminal activity on campus. Officers are fully certified by the State of Texas with full arrest powers. The Texas A&M University System employs and commissions campus peace officers for the purpose of protecting the safety and welfare of students, employees, and property of the institution in accordance with state law. Any officer so commissioned is vested with all powers, privileges, and immunities of peace officers while the officer is in his or her primary jurisdiction or outside the officer’s primary jurisdiction. Commissioned campus peace officers employed by any university of the system shall normally confine their duties as peace officers to activities within the boundaries of the property owned, leased or otherwise controlled by the respective system university but, nonetheless, shall have primary jurisdiction in any county in which the property is located.

Texas A&M University Kingsville police cooperate with federal, state and local police agencies (City of Kingsville Police Department, Kleberg County Sheriff’s Department, Texas Department of Public Safety, Texas Rangers, Department of Homeland Security and the Federal Bureau of Investigation), resulting in the University’s awareness of criminal activity perpetrated beyond the campus. UPD does not currently have a written Memorandum of Understanding with these responding agencies.

The Texas A&M University-Kingsville Police Department compiles and distributes the Annual Security Report and Fire Safety Report. Statistical information in the report is gathered from various sources such as, but not limited to, local law enforcement agencies, Dean of Students, Office of Environmental Health and Safety, Office of Risk Management, Office of Compliance, Campus Officials, Texas A&M University San Antonio, Texas State Technical College in Harlingen, Texas, South Texas College Mid Valley Campus, and Weslaco Campus Citrus Center. We encourage members of the campus community to use this report as a guide for safe practices on and off campus. It is available on the Web at: [http://www.tamuk.edu/dean/cleryreport.html](http://www.tamuk.edu/dean/cleryreport.html). Annual notification of the Annual Security Report is made to all students, faculty and staff using Texas A&M University–Kingsville campus email that describes the report and provides its Web address. Prospective students and employees are also notified by email and provided with the web address where they may access the information on the annual security report.
UPD will respond as quickly and safely as possible to any request for assistance, whether it is an emergency or not. Response time is based on current activity and severity of the call. Crimes in progress, alarms, traffic accidents with injuries, and medical assists have a higher priority than other types of calls. University Police officers in vehicles, golf carts, Segways, on foot, or on bicycles are eager to be of assistance and may be contacted directly. For off-campus offenses, we encourage prompt reporting to the proper local law enforcement agency.

Reports of criminal activity will be fully investigated, and appropriate referrals made to the appropriate courts, the Dean of Students Office or Human Resources Office as necessary. Community members are encouraged to report crime concerns to UPD, as well as the Dean of Students office and University Housing and Residence Life office if residing on campus.

**Safe Campus Environment**

The university makes every effort to create a campus environment that fosters personal safety and property security for students, faculty, staff, and visitors. Members of the university community are urged to immediately advise the university police department, 361-593-2611, of any criminal action or suspicious behavior. Criminal trespass warnings can be issued to suspicious persons and those who violate laws. Anyone returning to a Texas A&M University – Kingsville campus after being issued a trespass warning is subject to arrest.

Texas A&M University-Kingsville will adhere to a “zero-tolerance” of violation of the law and of violence in the workplace. We will investigate complaints of threats of intimidation and take disciplinary action when employees demonstrate any behavior which, in management’s opinion, constitutes a potentially violent situation. This policy extends to persons connected with university business, including vendors or others who interact with university employees.

A climate of fear or intimidation will not be tolerated at Texas A&M University-Kingsville. Threatening behaviors, acts of aggression and violence will result in appropriate action by the university, up to and including dismissal. Student, faculty and staff misconduct will be handled in accordance with the student code of conduct, Texas A&M University System policy or Human Resources policy and/or applicable state or federal laws. Call the Texas A&M University-Kingsville police department, 361-593-2611, to report incidents.

Texas A&M University-Kingsville will not tolerate hate violence and is dedicated to ensuring all persons are protected regardless of their race, national origin, religion, sex, sexual orientation, age or disability or political/religious beliefs. In furtherance of this mission, all ‘hate’ crimes and incidents will be thoroughly documented, investigated and assigned to the courts for prosecution. Students and staff/faculty are encouraged to promptly report these types of incidents to UPD (ext. 2611) or 361-593-2611, the Dean of Students (ext. 3606) or 361-593-3606 or the Compliance Office (ext. 4758) or 361-593-4758.

Director of Compliance: 361-593-4758, Provides information and assistance with sexual assault, domestic violence, dating violence and stalking, facilitation of employee’s complaints alleging illegal discrimination and related retaliation, coordination of an employee’s request for reasonable accommodations pursuant to the Americans with Disabilities Act (ADA), facilitation of employee or student complaints alleging discrimination on the basis of disability and oversight of the university's Title IX program to report an incident of sexual misconduct to obtain resources for a pregnant or parenting student) and education.

Title IX Coordinator 361-593-4761, The University Title IX Coordinator’s core responsibilities include overseeing the University’s response to Sexual Misconduct. The University Title IX Coordinator must be informed of all reports raising Title IX issues, regardless of where the report was initially filed. Students may file Title IX violations (sex discrimination, harassment, assault, misconduct, or violence).
The following on-campus resources and services are available to provide assistance and/or counseling. Speaking to these resources does not constitute a report to the university for the purposes of initiating an administrative or criminal investigation of crime. Identifying information will not be shared with anyone without consent from the victim/survivor unless there is an imminent threat of harm to self or others.

Counseling Services: 361-593-3991, Student Health and Wellness provides free and confidential assessments and counseling for academic, career, and personal issues to all enrolled Texas A&M University - Kingsville students. All counseling sessions are confidential to the full limits provided by the law; no information can be released within or outside the university without the client’s consent. There is no set limit or requirement to the number of sessions that one may attend.

Student Health Services: All information obtained at the Student Counseling Center is strictly confidential and is protected by professional ethics and law. Counseling records are not released to any other person or agency within or outside of Texas A&M University-Kingsville without the patient’s written consent, except as permitted or required by law.

The Kingsville Police Department and the Kleberg County Sheriff’s Department are the primary responding law enforcement agencies to off-campus properties, private off-campus housing and other student functions or activities located within the City of Kingsville or Kleberg County. The university police department is notified of occurrences reported at these locations. Crime reports and statistics generated at these locations are maintained by the appropriate agencies and are contained in this report where available. The university relies on its close working relationships with these local law enforcement agencies to receive information about incidents involving students on campus. The Texas A&M University – Kingsville Police will actively investigate any crime information it receives concerning or involving a member of the campus community. If the University is notified of a situation in which a campus community member is the victim of a crime, the department may issue a Timely Warning Notice to the campus community, detailing the incident and providing tips so that other community members may avoid similar incidents. The university does not currently have any officially recognized student organizations with off-campus residences.

Confidential Crime Reporting
The university encourages anyone who is the victim or witness to any crime to promptly report the incident to UPD or local police. If you are a victim of a crime and do not want to pursue action within university channels or the criminal justice system, or if you are a witness to a crime and do not want to reveal your identity, you may make a confidential report of the incident to the UPD. However, because police reports are public records, under state law, UPD cannot hold all reports of crime in confidence.

The purpose of a confidential report is to maintain the reporting individual’s confidentiality, while helping the university protect the safety of the campus community. A student’s privacy concerns are weighed against the needs of the university to respond to certain incidents and crimes. To the greatest extent possible, all reports will remain private. In compelling situations, Texas A&M University Kingsville reserves the right to take reasonable action in response to any crime report, and information may be shared with appropriate departments and agencies under a need-to-know basis when it pertains to investigative needs and safety concerns of the campus community.

All reports submitted on a confidential or anonymous basis are evaluated for purposes of issuing a campus-wide “timely warning” as well as inclusion in the annual crime statistics. Providing this information also helps the university maintain accurate records regarding the number of incidents involving students, employees and visitors; determine a pattern of crime with regard to location, method or assailant; and alert the campus community to potential dangers when appropriate. Reports filed in this manner are not excluded from the Texas A&M University-Kingsville annual crime statistics, and when they involve allegations of sexual harassment (including sexual violence) they are made available to
the University’s Title IX Coordinator.

Anonymous reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to other Campus Security Authorities at Texas A&M University-Kingsville. Anonymous reports of crimes may also be made to the City of Kingsville Crime Stoppers line at 361-592-4636. The only entity on the Texas A&M University-Kingsville campus that can guarantee confidentiality is a licensed professional counselor at the Student Counseling Center located in Student Health and Wellness.

**Reporting Crimes or Other Emergencies**

Campus members observing criminal activities and other emergencies occurring on campus should contact law enforcement immediately by dialing 9-1-1 from any campus telephone, contacting a local law enforcement agency, or in person at a law enforcement office.

**Weslaco – Citrus Center**

**Emergencies:** Dial 9-1-1 (Campus Phone)

For a non-emergency call for locations located in the City of Weslaco or Hidalgo County, Rio Grande Valley, please contact the appropriate law enforcement or fire agencies at the numbers below:

- City of Weslaco Police 956-968-8591
- City of Weslaco Fire Station 956-968-7581
- Weslaco Crime Stoppers 956-968-TIPS(8477)
- Hidalgo County Sheriff’s Office 956-383-8114
- South Texas College Police 956-872-2589
- Texas A&M University-Kingsville Police, Non-Emergency Assistance: Dial 361-593-2611

**Texas A&M University–Kingsville students attending classes at Texas A&M University-Kingsville Citrus Center,** 312 N. International Blvd., Weslaco, Texas 78596, Main Phone: 956-447-3360

- Director: (956) 447-3361
- Assistant to the Director: (956) 447-3362
- Farm Superintendent: (956) 447-3366

**In Kingsville:**

- University Police Department: 361-593-2611
- City of Kingsville Police Department: 361-592-4311
- Kleberg County Sheriff’s Department: 361-595-8500
- Kingsville Crime Stoppers 361-593- INFO (4636)

**Other Crime Reporting Options on Campus:**

- Dean of Students Office: 361-593-3606
- Compliance Office: 361-593-4758
- Title IX Coordinator: 361-593-4761
- University Housing and Residence Life: 361-593-3419
- Office of Human Resources: 361-593-3705

To report a non-emergency security or public safety-related matter, call the University Police Department at 361-593-2611 or report in person at 825 W. Santa Gertrudis Avenue, Seale Hall, Kingsville, Texas. Dispatchers are available 24 hours a day to answer calls.
For a non-emergency call for locations located in the Rio Grande Valley, please contact the appropriate law enforcement or fire agencies at the numbers below:

- Cameron County Sheriff’s Office  956-554-6700
- Harlingen Police Department  956-427-8787
- Harlingen Fire Department  956-216-5700
- Weslaco City Police  956-968-8591
- Weslaco City Fire Station  956-968-7581
- Weslaco Crime Stoppers  956-968-TIPS(8477)
- Hidalgo County Sheriff’s Office  956-383-8114
- South Texas College Police  956-872-2589
- Texas State Technical College Police  254-867-3690

Crimes reported will be listed in the appropriate categories in the Clery Annual Security Report. All reported crimes will be taken seriously, even if reported in an anonymous or confidential manner.

For on-campus or non-campus offenses, we encourage accurate and prompt reporting to the proper local law enforcement agency or Campus Security Authority (CSA), prompt reporting will ensure the issuing of a timely warning reports and the annual statistical disclosure. The University relies on its close working relationships with local law enforcement agencies to receive information about incidents involving students on campus. The Texas A&M University Kingsville Police will actively investigate any crime information it receives concerning or involving a member of the campus community. If the University is notified of a situation in which a campus community member is the victim of a crime, the department may issue a Timely Warning, detailing the incident and providing tips so that other community members may avoid similar incidents. We will forward for disciplinary action any information regarding student misconduct on campus property.

Alternatives to Immediately Filing a Police Report
While Texas A&M University-Kingsville encourages the campus community to promptly report any criminal event or suspicious person or circumstance to UPD there will be times when the victim of a crime elects to or is unable (physically/mentally) to make such a report. In those situations they may elect to:

- Report the crime to UPD at a later date.
- Make a complaint to the Dean of Students Office. Such a complaint may be used for actions which include, but are not limited to, on-campus disciplinary proceedings.
- Make an anonymous report to the police. UPD has a website that may be used to report crimes anonymously [http://www.tamuk.edu/finance/upd/silent_witness.html](http://www.tamuk.edu/finance/upd/silent_witness.html)
- Contact a referral agency for help: the Housing Office, Student Health and Wellness, or the Title IX Coordinator in the Office of Compliance. Such a complaint may be used for actions which include, but are not limited to, on-campus disciplinary proceedings.

Campus Security Authorities
In addition to UPD personnel (police officers, dispatchers and parking enforcement officers) the university has designated individuals as Campus Security Authorities (CSA’s). CSA’s are identified as individuals that have significant responsibility for students or campus activities. CSA’s have a legal obligation to notify UPD of any Clery Act crimes that were conveyed to them in good faith, meaning that there is reasonable basis for believing that the information is not rumor or hearsay. While CSAs must report any Clery Act crime that comes to their attention, at the request of the victim(s), identifying information may be excluded from the report (e.g., names, initials, contact information, etc.). CSAs can submit Clery Act crimes to UPD in a number of ways, including:
Completing the CSA Crime Statistics Reporting Form available at:  
http://www.tamuk.edu/finance/upd/crime_report.html or

Notifying the Texas A&M University-Kingsville Police Department at 361-593-2611

Texas A&M University–Kingsville students attending classes at Texas A&M University-Kingsville Citrus Center, 312 N. International Blvd., Weslaco, Texas 78596, Main Phone: 956-447-3360

- Director: (956) 447-3361
- Assistant to the Director: (956) 447-3362
- Farm Superintendent: (956) 447-3366

Please refer to the Campus Directory for contact telephone numbers or call (361) 593-2111 to reach the campus operator. CSA’s for the main Texas A&M University-Kingsville campus are the:

- Senior Vice President of Student Affairs, Enrollment Management and University Administration;
- Assistant Vice President of Student Affairs/Dean of Students;
- Associate Dean of Students;
- Director of Student Activities, Leadership & Special Projects Coordinator, International & Multicultural Event Coordinator, Campus Activities Coordinator, Greek Life Coordinator, Javelina Camp staff;
- Faculty advisors for Texas A&M University-Kingsville student organizations;
- Director of Student Health and Wellness (SHW) Department, Medical Providers in SHW; Staff nurses; Coordinator of Disability Resource Center;
- Student Success Peer mentors,
- Executive Director, Director of Housing, Associate Director of Residential Education, Assistant Director of Residence Life, and Area Coordinators, Head Residents and Resident Advisors, for University Housing and Residence Life;
- Vice President of Intercollegiate Athletics and Campus Recreation, Assistant and Associate Athletic Directors and head coaches and assistant head coaches (Men’s -football, basketball, baseball, cross-country, track and field; Women’s – basketball, cross-country, golf, softball, tennis, track and field and volleyball, cheer teams;
- Senior Associate Athletic Director/Head Athletic Trainer and assistant trainers;
- Campus Recreation Director, Assistant Director of Campus Recreation, and Campus Recreation student staff;
- Executive Director of International Studies and Programs, and faculty members involved with Study Abroad programs;
- Professor and instructors of Military Science;
- Summer Camp coordinators and staff;
- Director of Compliance; and
- Title IX Coordinator and Deputy Title IX Coordinators.

The university encourages professional counselors, at their discretion, to inform those they counsel to report crimes in a voluntary, confidential manner for the purposes of collecting crime statistics. Student Health and Wellness Services staff informs their clients of the procedures to report crime to the University Police Department on a voluntary or confidential basis. A procedure is in place to anonymously capture crime statistics disclosed confidentially during such a session.

Certain individuals are encouraged to report crime statistics to UPD, but according to federal law, they are not designated as CSAs and are not required to report crime statistics. This reporting exemption extends only to the following:

Professional Counselor: A person whose official responsibilities include providing mental health counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification. This
definition applies even to professional counselors who are not employees of the institution, but are under contract to provide counseling at the institution. An example is professional mental health counselors, functioning in that capacity, in the university’s Student Health and Wellness Center.

**Pastoral Counselor:** A person associated with a religious order or denomination who is recognized by that religious order or denomination as someone who provides confidential counseling and is functioning within the scope of that recognition as a pastoral counselor. Texas A&M University-Kingsville does not employ any pastoral counselors who meet this exemption.

Crimes not occurring on the main Texas A&M University-Kingsville campus should be immediately reported to the appropriate law enforcement agency or to the individuals occupying the positions below:

**Texas A&M University–Kingsville students attending South Texas College – Mid Valley Campus**, 400 N. Border Avenue, Weslaco, Texas 78596, Main Phone (956)266-9235
Director of Operations: (956)266-9235

**Texas A&M University–Kingsville Students attending classes at Texas State Technical College (TSTC),** also known as the MITC Center, 1902 North Loop 499, Harlingen, Texas 78550, Phone: 1-800-852-8784
Director, University Center, located at 2424 Boxwood, Harlingen, Texas 78550: (956) 364-4535

**Texas A&M University–Kingsville students attending classes at Texas A&M University-Kingsville Citrus Center,** 312 N. International Blvd., Weslaco, Texas 78596, Main Phone: 956-447-3360
Director: (956) 447-3361
Assistant to the Director: (956) 447-3362
Farm Superintendent: (956) 447-3366

**Texas A&M University–Kingsville students attending classes at Texas A&M University San Antonio,**
- Main Campus, One University Way, San Antonio, Texas 78224 (Phone: 210-784-1911)
- Brooks City-Base Campus, 2601 Louis Bauer Drive, San Antonio, Texas 78224 (Phone: 210-784-1900),
- Texas A&M San Antonio North (Alamo University Center), 8200 Pat Booker Road, Live Oak, TX 78233 Alamo College Police Department (210-485-0099)

For information on Campus Security Authorities for Texas A&M University San Antonio, please refer to the TAMUSA Annual Security report located at [http://www.tamusa.edu/upd/](http://www.tamusa.edu/upd/)

**Timely Warnings**

In the event a situation arises, either on or off campus, that in the judgment of the Director of Public Safety/Chief of Chief, University Police Department, or his designee, constitutes an ongoing or continuing threat, a campus-wide “timely warning” will be issued using the university email system. The university will issue an alert to provide students, faculty and staff as reasonably and timely as possible, notification of a crime that may represent a serious or on-going threat to the campus community, that will aid in the prevention of similar occurrences and to heighten safety awareness. The timely warning message will withhold the names of the victims, because victim's names are confidential.

The Director of Public Safety/Chief of Police, or his designee, will notify the Senior Vice President of Student Affairs, Enrollment Management and University Administration, who serves as the chair of the Emergency Management Team (EMT), of a situation that needs reporting. They make the decision whether to issue a timely warning on a case-by-case basis in light of all the facts surrounding the incident. Timely warnings are issued as soon as possible after UPD is
notified; however, the release of the warning is subject to the availability of accurate facts concerning the incident. Criteria to be evaluated may include:

- The nature of the crime
- The continuing danger to the campus community
- The possible risk of compromising law enforcement efforts

Timely warnings include information that promote safety and would aid in the prevention of similar crimes, including, but not limited to:

- Brief description of the crime(s) that occurred
- Date and time when the crime(s) occurred
- Location of the crime(s)
- Possible connections between incidents (if applicable)
- Description of suspect(s) and/or any available information to aid in the apprehension of the offender(s) (if applicable)
- Recommended actions
- Precautions for the campus community to protect itself
- Description of crime reporting options at the university.

Timely warnings are issued to the campus community in a manner that is timely and that withholds as confidential the names and other identifying information of victims through university email. When the imminent threat no longer exists the university will send out a follow up notification or an all clear message.

Personnel authorized to issue a Timely Warning notice to the Texas A&M University-Kingsville campus are:

- Director of Public Safety/Chief of Police, or designee,
- Senior Vice President for Student Affairs, Enrollment Management and University Administration,
- Assistant Vice President of Student Affairs/Dean of Students, and,
- President of the University, or his designee.

Crimes subject to Timely Warning notifications are for Clery reportable crimes, and may be sent for the following crime categories:

- Criminal homicide (murder and non-negligent manslaughter; and negligent manslaughter)
- Sex offenses (rape, fondling, incest, and statutory rape)
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- Hate crime motivated by race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and/or disability involving any of the offenses listed above or any of the following offenses: larceny-theft, simple assault, intimidation, or destruction/damage/vandalism of property
- Dating violence
- Domestic violence
- Stalking
- Arrests or referrals for liquor law violations, drug law violations, and illegal weapons possession

On the Kingsville campus, anyone with information warranting a timely warning should immediately report the circumstances to the University Police, by phone (361-593-2611) or in person at their office at Seale Hall, Room 110, 825 W. Santa Gertrudis Avenue.
On the Citrus Center (Weslaco), Mid Valley Campus (Weslaco), TSTC- MIT-C (Harlingen) and Texas A&M University San Antonio, anyone with information warranting a timely warning should immediately report the circumstances to law enforcement or Campus Security Authority, as noted in the CSA and Law Enforcement sections of this document.

**Campus Emergency Notifications**

In the event of a significant emergency or dangerous situation involving the immediate threat to the health or safety of persons on the campus, the university will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system unless issuing a notification will, in the professional judgement of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

**Emergency Notification (Tier I and Tier II)**

When time is of the essence, information may be released to the university community through the Tier I and Tier II mass notification system. Tier I is capable of displaying written commands on interior signs, as well through direct commands and sounds that alert the campus to danger and ways to take necessary precautions through the outdoor public address system. Additionally, in buildings equipped with public address capability through the fire alarm system, announcements can be made. Tier II is capable of sending alerts via telephone call, email messages and text messages to registered users. Students are able to include several telephone numbers and email addresses allowing notification to parents and/or spouses as well. Because Tier I and Tier II uses data provided by the students, it is imperative that contact information remain up-to-date at all times. In emergency situations, the campus also is equipped with an outdoor speaker system that can broadcast direct commands and sounds to alert the campus to danger and ways to take necessary precautions. The system is also accompanied by interior signs placed strategically in campus buildings throughout the campus.

Texas A&M University-Kingsville will use the system only to provide official notification of critical emergencies (i.e., situations that pose an imminent threat to the community). When the imminent threat no longer exists the university will send out a follow up notification or an all clear message.

It is the policy of Texas A&M University-Kingsville to notify the campus community, via the Tier I and Tier II Emergency Notification System, upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. The University Police Department may receive such information from entities including, but not limited to: law enforcement, fire department, National Weather Service, Office of Risk Management or personnel from Environmental Health and Safety. The Tier I and Tier II emergency notification system does not replace Timely Warning requirement. They differ in that the Time Warning requirement applies only to Clery reportable crimes, while the emergency notification system addresses a much wider range of threats (i.e. gas leaks, tornadoes, active shooter, etc.).

The procedure for determining when a Tier I and Tier II emergency alert message is sent and/or activation of the notification system is the responsibility of the Director of Public Safety/Chief of Police or his designee of the Texas A&M University-Kingsville Police Department. The University Police Department functions 24-hours a day, seven days a week. Upon notification from one of the individuals authorized to issue a Tier I and Tier II alert, the University Police Department, without delay, and taking into account the safety of the community, determines the content of the notification and initiates the notification system; unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

Personnel authorized to issue a Tier I and Tier II alert are:

- Director of Public Safety/Chief of Police, or designee
- Police Lieutenant,
• University Police Department patrol supervisors, communications officer,
• Director of Risk Management,
• Senior Vice President of Student Affairs, Enrollment Management and University Administration,
• Assistant Vice President of Student Affairs/Dean of Students, and,
• President of the University, or his designee.

The university conducts weekly pre-scheduled testing of the emergency notification system. These weekly tests are launched by the Office of Risk Management and/or the Communications Section of the University Police Department.

Confirming the Existence of a Significant Emergency or Dangerous Situation and Initiating the Emergency Notification System

5. University Police and/or other first responders may become aware of a critical incident or other emergency situation that potentially affects the health or safety of the campus community. Generally, campus first responders become aware of these situations when they are reported to the UPD Dispatch Center or upon discovery during patrol or other assignments.

6. Once first responders confirm that there is, in fact, an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the campus community, first responders will notify supervisors at UPD to issue an emergency notification.

7. The Director of Public Safety/Chief of Police, Senior Vice President for Student Affairs, Enrollment Management and University Administration, and the Executive Director of Enterprise Risk Management, or their designee will make the appropriate notifications to Texas A&M University–Kingsville’s executive leadership and initiate all or some portions of the emergency notification system.

8. If, in the professional judgment of first responders, issuing a notification potentially compromises efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency, the university may elect to delay issuing an emergency notification. As soon as the condition that may compromise efforts is no longer present, the emergency notification to the campus community will be issued, if there is a continuing threat to the campus community.

Segment or Segments of the Campus Community to Receive an Emergency Notification

University Police will share information with those preparing the emergency notification to determine what segment or segments of the campus community should receive the notification. Generally, entire Texas A&M University-Kingsville community (Texas A&M University-Kingsville campus, Citrus Center (Weslaco), South Texas College Mid Valley Campus (Weslaco), and Texas State Technical College- MIT-C (Harlingen) and Irma Rangel School of Pharmacy) will be notified when there is at least the potential that a very large segment of the community will be affected by a situation or when a situation threatens the operation of the campus as a whole. The university will continue to assess the situation and additional segments of the campus community may be notified if the situation warrants.

The University Police Department will notify/coordinate response efforts with local enforcement authorities and other outside emergency personnel. The Director of Public Safety/Chief of Police or designee is responsible for disseminating emergency information to the public.

Faculty, staff and students at Texas A&M University San Antonio will find information on emergency notifications in the Annual Security Report attached to this report. The JagE Alert System may be initiated for notification at Texas A&M University San Antonio.

Contents of the Emergency Notification Procedures Used to Notify the Campus Community
The University Police shares responsibility with other campus divisions and departments for issuing emergency notifications and determining the contents of the notifications. UPD has developed a wide range of template messages addressing several different emergency situations. The individual authorizing the alert will select the template message most appropriate to the ongoing situation and modify it to address the specifics of the present incident. In those cases where there are no predetermined template messages in the system, the individual authorizing the alert will develop a message to convey the appropriate information to the community. Messages are designed to convey the nature of the emergency and response actions that should be taken to protect life, property, and the environment.

**Emergency Response and Evacuation Policy**

**Emergency Response**
Notify University Police (361-593-2611) or local police at 9-1-1 in case of emergency. All members of the campus community are notified on an annual basis that they are required to notify the University Police Department or local emergency services of any situation that involves a significant emergency or danger that may pose an immediate or ongoing threat to the health and safety of the campus community.

**Procedures Used to Notify the Campus Community**
When the University Police Department receives notification of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the Texas A&M University-Kingsville campus, first responders will confirm the emergency/threat. If the emergency warrants, the UPD supervisor shall communicate immediately with the chief of police or designee; and depending on the magnitude of the incident, the Emergency Management Team chair or alternate who will communicate with the president.

Depending on the emergency the Emergency Management Team will execute the emergency management plan for emergency at hand. The university community will be notified using Tier I and Tier II communication systems via:

- SMS text message,
- Email,
- Telephone calls to registered users (home office and cell phones),
- Outdoor warning sirens and public address messages, or
- Scroll messages in campus buildings

In those instances take appropriate action to evacuate the area and to ensure your safety and give protection to those around you that may need assistance.

The Emergency Management Team chair or designee, shall, consistent with university’s Emergency Management Plan, authorize immediate notification to the university community following confirmation of the threat, unless that notification is delayed for as short a time as possible, if there is a professional determination by law enforcement that issuing a notice would put the university community at greater risk. The content of the notification will be generic in nature to maintain campus safety while responding to, containing, and/or rendering aid or assistance to victims.

**Emergency Management Team Members**
Members of the University’s Emergency Management Team include the following:

- Senior Vice President for Student Affairs, Enrollment Management and University Administration. Serves as the chair of the Emergency Management Team
- Executive Director, Enterprise Risk Management
- Director of Public Safety/Chief of Police
- Director, University Facilities Planning and Construction
- Executive Director, Physical Plant
- Manager, Environmental Health & Safety
- Chief Information Officer
- Assistant Vice President of Student Affairs/Dean of Students
- Communications Specialist
- Executive Director, University Housing & Residence Life
- Director, Center for Life Service & Wellness
- Associate Dean of Students
- Executive Director, Human Resources
- Assistant Dean for Finance and Administration (College of Pharmacy)
- Executive Director, Marketing And Communications
- Academy High School Principal
- Associate Vice President for Academic Affairs

Depending upon the situation, however, other university personnel will be involved in carrying out the university’s emergency response efforts.

**Campus Evacuation**
The president or designee will authorize university evacuation orders. An announcement of a campus-wide evacuation will come from the Office of the President or the Emergency Management Team. Students and employees should follow the instructions and timeline for leaving the campus and alert others to do the same. Information about returning to the campus will be provided through Tier I and Tier II, the personnel recall process for employees and press releases through the news media outlets.

**Building Evacuation**
An evacuation will occur when the fire alarm sounds and/or notification is made by the University Police Department, Emergency Management Team, the building emergency managers acting under the instructions of these offices, the Kingsville Fire Department, or the Kingsville Police Department.

All persons (students, employees and campus visitors) are to immediately vacate the area in question, leaving by the nearest marked exit or in accordance with the posted evacuation plan and alert others to do the same. Once outside, proceed to the designated building assembly area. Personnel shall not return to an evacuated building until given the all clear signal by Texas A&M University - Kingsville officials.

Annually, one or more buildings are selected at random, an emergency is declared within or in the vicinity of, evacuation procedures are executed. The drill is critiqued and an After Action Report (AAR) is generated. The AAR will be retained for a minimum of (2) two years.
For more information on evacuation routes for the campus, “Control Click” to follow links for detailed evacuation routes for each campus building: http://ppo.tamuk.edu/ehs/Fire_Brochure/Fire_Escape_Routes.htm

Fire Evacuation Routes

“Control click” on each quadrant below to find evacuation routes and assembly areas (are depicted with a figure and circle) for each building in the quadrant:

- Quadrant 1 http://www.tamuk.edu/finance/risk/ehs/Fire_Brochure/Fire%20Escape%20Routes/Quad1.jpg
- Quadrant 2 http://www.tamuk.edu/finance/risk/ehs/Fire_Brochure/Fire%20Escape%20Routes/Quad2.jpg
- Quadrant 3 http://www.tamuk.edu/finance/risk/ehs/Fire_Brochure/Fire%20Escape%20Routes/Quad3.jpg
- Quadrant 4 http://www.tamuk.edu/finance/risk/ehs/Fire_Brochure/Fire%20Escape%20Routes/Quad4.jpg
### Quadrant 1
- Athletic Offices
- Clem Rehab Center
- Dottorwich Engineering Complex
- Jamison Library
- Kleberg Eng. Hall
- McCulloch Hall
- Irma Rangel College of Pharmacy
- ROTC Bldg.
- Steinke Physical Ed. Center
- Student Rec Sports Center

### Quadrant 2
- Ag Mechanics Building/Archives
- Business Adm. Bldg.
- Howe Ag.
- Kleberg Ag.
- Javelina Oning Hall
- Lucio Hall
- Mesquite Village West
- Physical Plant Compound
- Rhode
- Student Health and Wellness
- Support Services

### Quadrant 3
- Center for Young Children
- College Hall
- Eckhardt Hall
- Human Sciences
- Lewis Hall
- Lynch Hall
- Martin Hall
- Turner-Bishop Hall

### Quadrant 4
- Bailey Art Bldg.
- Bellamah Music Bldg.
- Biology and Human Sciences
- Conner museum
- Cousins Hall
- Drama / Art Building
- Fore Hall
- Health & Rec
- Hill Hall
- Javelina House
- Jones Auditorium
- Manning Hall
- MSUB
- Nierman Hall
- Poteet Hall
- Seale Hall
- Speech Bldg.

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**Drills, Exercises and Training**

Evacuation drills, (tornado, fire drills exercises) are coordinated by the Office of Risk Management, Environmental Health and Safety Office and University Housing and Residential Life each fall, spring and summer semesters for all residential facilities at Texas A&M University-Kingsville. The emergency evacuation procedures for each residential unit (Lucio Hall, Mesquite Village - West, Lewis Hall, Turner Hall, Bishop Hall, Martin Hall and Lynch Hall) and academic and auxiliary buildings are tested on average at least twice each semester, once in each of the summer session for total of 4 drills per housing residential unit (see page 100 for detailed information). University Housing and Residential Life conducts announced and unannounced drills. Students become familiar with the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. University Housing and Residence Life does not inform residents in advance about the designated long-term evacuations because those decisions are affected by the time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In all cases, UPD, Risk Management, Environmental Health and Safety, University Housing and Residence Life staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes. The purpose of the drills is to prepare building occupants for an organized evacuation in cases of an emergency. Evacuation drills are used as a way to educate and train occupants on issues specific to their facility. During the drill, occupants “practice” drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. **All occupants are instructed that in the cases where fire alarms are activated they must evacuate the building immediately.** In addition to educating the occupants of each building about the evacuation procedures during the drills, the process also provides the University an opportunity to test the operation of the fire alarm system components. Any deficient equipment is noted so that appropriate repairs can be performed. Students receive emergency information and procedures during their hall meetings. Additionally, students are provided with educational materials entitled “Have an Exit Strategy” developed by the Texas State Fire Marshal’s Office.

The Texas A&M University-Kingsville Emergency Management Plan (EMP) describes the responsibilities and duties of campus personnel, departments, in event of an emergency or dangerous situation involving an immediate threat. The EMP is designed to assist employees to respond appropriately when emergency conditions exist. To ensure emergency plans are appropriate, the university conducts emergency response exercises annually. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution.
Faculty, staff and students who fail to evacuate during a drill or actual event will be reported to the appropriate university official for possible disciplinary action for unsafe practices.

**Fire Drills**

Fire drills are also conducted each semester to ensure students understand emergency building evacuation procedures. Students must evacuate the building whenever an alarm sounds. Students who ignore evacuation instruction may be subject to conduct proceedings. The University Housing and Residence Life department schedules 4 or more fire drills for each housing unit, per academic year, usually 2 each semester (1 announced & 1 unannounced).

**Emergency Exercises**

The university conducts tabletop, functional, and/or full-scale emergency exercises with the various university departments, the university’s Emergency Management Team and community partners. These exercises are designed to prepare university personnel to respond to various emergencies that may occur on campus, recover from emergencies as quickly as possible, and provide the appropriate support to students, employees, and university operations.

**Police Daily Crime Log and Fire Log**

The University Police Department provides a daily crime log and a fire log for all reported fires that occur in on-campus housing facilities for the previous 60 day period. The log includes the date and time the crime occurred, general location and disposition of the complaint, if known. These logs are available to any member of the public upon request. Any portion of the log older than 60 days will be made available within two business days of a request for public inspection.

An electronic version of the combined Daily Crime and Fire Logs are posted on University Police’s website: [http://www.tamuk.edu/finance/upd/](http://www.tamuk.edu/finance/upd/) and are available within two business days of receiving a report, and is also made available, in hard-copy format, to walk-in customers from the University Police Department’s Office located at 825 W. Santa Gertrudis Avenue. The UPD Office is open to the public 365 days a year.

**Security and Access to Campus Facilities**

**Campus Buildings and Grounds:** Buildings on the Texas A&M University-Kingsville campus remain open only through the completion of the last scheduled event. A daily schedule is provided to the physical plant and buildings are locked on the basis of that schedule. Only employees with maintenance responsibilities for those buildings have access after buildings are locked. Other personnel seeking access after-hours must obtain advance written approval through their administrative chain of command. University police officers have access to all buildings on campus to provide access after-hours in case of an emergency or other special circumstance after-hours, call 361-593-2611 for assistance.

The Physical Plant maintains the university buildings and grounds with concern for security and safety. Campus facilities and grounds are inspected on a regular basis to ensure that broken windows, locks and repairs are made in an expeditious manner. The University Police Department also receives information from the campus community regarding damaged roadways, overgrowth of shrubbery and other areas in need of repair. This information is forwarded to the Physical Plant in a timely manner.

Texas A&M University-Kingsville is committed to campus safety and security. Exterior lighting and landscape control is a critical part of that commitment. Representatives from various departments continually conduct security surveys to ensure campus lighting is adequate and that the landscape is appropriately controlled. University police officers conduct routine checks of lighting on campus during regularly assigned patrol duties, when they observe lights that are out or dim, officers will contact the dispatcher to initiate a work order which is acted upon by a representative of the appropriate maintenance office, usually within 24 hours or the next business day, to correct the problem. Once a month officers conduct a complete canvas of the University campus noting any malfunctioning lights using a schematic provided by Support Services, the form is delivered to them for appropriate action and repairs. We encourage community members to report any deficiencies in lighting to the Physical Plant, 361-593-3312, or the University Police
Department, 361-593-2611. Any community member who has a concern about physical security should contact the department at 361-593-2611.

Lighting surveys are conducted and improvements made, as necessary, in various locations on campus. Anyone aware of a hazardous situation in any building or on the campus grounds should notify Physical Plant (361-593-3312) or University Police Department (361-593-2611) so repairs can be made promptly.

The department and representatives from the Physical Plant lock shop work together to identify inoperative locking mechanisms. We encourage community members to promptly report any locking mechanism deficiency to the Physical Plant at 361-593-3312 or the University Police Department at 361-593-2611.

Maintenance staff is available to respond to calls for service regarding unsafe facility conditions or for personal safety and property protection. These conditions also may include unsafe steps or handrails, unsafe roadways on campus, and unsecured equipment, call the University Police Department, 361-593-2611. The Physical Plant personnel will place safety notices in construction zones and other hazardous areas.

**Residence Halls:** Access to the residence halls is restricted to residents, their guests, university personnel and authorized visitors. Identification cards are coded so that only students who are residents in a particular hall are authorized electronic access entry to that hall; the system denies entry to all unauthorized persons. Hall residents may enter their building using their university ID card. Each hall has specific doors designated for normal entry which are equipped with card access readers.

All other doors in the building remain closed at all times and are to be used only in an emergency evacuation. All exterior doors are monitored with security cameras. A resident must accompany his/her guests at all times. Crime prevention programs include hall orientation sessions, individual floor meetings, residential community-wide presentations and educational programs offered in conjunction with the university housing and residence life staff, Student Health and Wellness Services and/or UPD. Residents are reminded to keep their student room doors locked at all times, observe building security procedures and to notify university housing and residence life staff or the University Police Department (361-593-2611) of any suspicious activity within the residence halls.

Professional area coordinators and student resident advisors, who are all members of the university housing and residence life staff, live on campus and provide 24-hour, on-call staff coverage. Residence hall staff undergoes comprehensive training each semester for both prevention and response regarding safety and security issues.

Student and professional staff participate in lectures and seminars associated with topics such as substance abuse, prevention of sexual assault, response to crisis situations and community security issues.

Additional information is contained in the University Housing and Residence Life Guidebook available through the Office of University Housing and Residence Life.

**Campus Lighting Checks**

UPD officers complete campus lighting checks regularly. The Physical Plant is notified when there are burned out or damaged street and building lights. This inspection ensures adequate lighting for the public at night on the university campus. The department also submits a monthly lighting report to the Physical Plant that indicates which campus lights that are malfunctioning or need repair. The UPD also coordinates with other members of the university community, student organizations and class projects, in periodic lighting tours. Together, students and staff tour the campus in small groups—after dark—to look for any lighting issues, obstacles, and other items that could impede someone’s safety on the campus. After the tour, notes are collected, compiled, and shared with attendees and forwarded to the appropriate departments. As a result, lights are repaired, bulbs are changed, and improvements made to make campus a safer
environment for the campus community.

**Emergency Telephones and Security Cameras**
The University has installed emergency two-way call boxes (blue light phones) throughout campus for use during emergencies. By pressing the red button on the stations, users can communicate directly with our Dispatchers. The location of the station is digitally displayed to the tele-communications officer. The campus community can also take advantage of the university’s Rave Guardian app, which is called JavGuard, to communicate directly with University police or 911 operator, send text or photographic information to the University police about crimes, numerous incidents or request police assistance, or set a timer to notify people you trust to check on you when you are alone or in an unfamiliar place.

**Security Awareness and Crime Prevention Programs**
During orientation activities held for new students, students are informed of services offered by the University Police Department. The Clery Compliance Report details crime statistics and recommended practices for personal safety and residence hall security. Similar information is presented to new employees.

Periodically during the academic year, the University Police Department, in cooperation with other university organizations and departments, presents crime prevention awareness sessions on such topics as sexual assault (rape and acquaintance rape), illicit drug use and dangers, theft, vandalism, personal safety and residence hall security.

The University Police Department, in cooperation with other university organizations and departments, offers security awareness and crime prevention programs to the campus community on an ongoing basis. A common theme of the awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and to be concerned for the security of others. These programs aim to eliminate or reduce incidents of domestic violence, dating violence, sexual assault, and stalking.

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<thead>
<tr>
<th>Date</th>
<th>Location</th>
<th>Topic</th>
<th>Prohibited behavior covered</th>
</tr>
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<tbody>
<tr>
<td>February 12, 2014</td>
<td>MSUB</td>
<td>Shots Fired Presentation</td>
<td>Personal Safety</td>
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<tr>
<td>June 9 &amp; 10, 2014</td>
<td>MSUB</td>
<td>Hoggie Day Presentation</td>
<td>DoV, DaV, SA, S</td>
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<tr>
<td>June 16 &amp; 17, 2014</td>
<td>MSUB</td>
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<td>June 19 &amp; 20, 2014</td>
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<td>June 26 &amp; 27, 2014</td>
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<td>June 39 &amp; July 1, 2014</td>
<td>MSUB</td>
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<tr>
<td>August 4, 2014</td>
<td>Campus</td>
<td>See page 40 of this report</td>
<td>Drugs and Alcohol</td>
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</tbody>
</table>

DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

In addition to seminars, information is disseminated to students and employees through crime prevention awareness packets, displays, videos, security alert posters and articles and advertisements on the university’s website and in *The South Texan* student newspaper.
For Students
Annually the Texas A&M University-Kingsville police department along with Dean of Students, Compliance Office and other university departments address the students in the athletic program, which includes all university sports, on safety awareness, sexual assault, alcohol and drug awareness, university policies, conduct while travelling and how they represent the university.

For Faculty and Staff
New employee orientation: Bi-weekly; Robbery and personal safety ongoing, Rape Aggression Defense (RAD), active shooter (Shots Fired), Building Emergency Managers (BEM); upon request.

For Campus Community
The University Police Department conducts crime prevention and crime awareness presentations at student orientations and upon request. These presentations include: Alcohol Awareness, RA Presentations, Crime Prevention and Safety, Crime Prevention Tips, Date Rape, Drug Abuse, Hate Crimes, Rape Aggression Defense (RAD) Program, Personal Safety, Safety in the Workplace, Student Orientation, Shots Fired and others.

Alcohol Awareness Programs, Minor in Consumption and Minor in Possession Enforcement, Fatal Vision - DW Eyes
UPD uses both a proactive and reactive approach to addressing the problems of underage drinking and drunk driving. Using a proactive approach, police officers go to various segments of the campus community and provide educational programs regarding the problems associated with alcohol abuse and misuse and its relationship to crimes such as drunk driving. In a reactive approach, UPD officers arrest drunk drivers, and cite violators for minor in consumption and minor in possession of alcohol. In addition, the Student Health and Wellness Services provide education on substance use and abuse issues.

University Housing & Residence Life Training
UPD works in conjunction with other university departments and the Texas A&M University-Kingsville University Housing & Residence Life to provide training to the Executive Director University Housing & Residence Life, Director of Residence Life, Associate Director of Residential Education & Living Learning Communities, Assistant Director of Residence Life, Manager, University Housing Business Operations, Assistant Director of Residence Life, Director of University Housing Facilities, and Area Coordinators, Head Residents and Resident Advisors. Topics include campus security authority responsibilities, Title IX, crime prevention, alcohol awareness (including acute alcohol intoxication), safety, security and emergency preparedness.

Active Shooter Response Training
The UPD offers the “Shots Fired, When Lightning Strikes” DVD for all campus personnel, including University Housing and Residential Life, Building Emergency Managers, Student health and Wellness, student, faculty and staff organizations and groups on an on-going basis. The program provides valuable information to instill a survivor mindset and teach realistic strategies for dealing with an active shooter situation.

Rape Aggression Defense (RAD)
UPD has trained and certified RAD instructors that offer sexual assault prevention, education and awareness. The course includes lecture, discussion and self-defense techniques suitable for women of all ages and abilities. Classes range from a minimum of nine to twelve hours plus in length.

University Police Escort
The campus community members can request an escort to their vehicle or to their residence hall when alone at night by contacting police dispatch at 361-593-2611. Transportation will be provided based on the availability of patrol officers.
**DWEyes**
UPD, in conjunction with other university departments and outside agencies, demonstrates with the use of Fatal Vision goggles, in varying degrees of perceived intoxication, what one might experience being intoxicated and operating a motor-vehicle or performing motor skill activities while under the influence of intoxicants. This is an ongoing program.

**Crimestoppers**
In conjunction with the City of Kingsville Crimestoppers organization and Student Government Association, Criminology Club and others, this program offers cash rewards for information on crime that may lead to arrests or indictments of criminal activity on campus.

**Hoggie Days**
UPD presents to incoming students and their parents safety awareness, services offered by the police department and general information about weapons, parking issues, alcohol and drug policies.

**Operation Identification (ID)**
Police can help students engrave unique identifiers on personal items kept on campus, such as bikes, computers, radios, and stereo systems. This nationally recognized identification procedure has been shown to facilitate the recovery of stolen items. UPD suggests keeping a record of serial numbers and unique identifiers, and taking photos of valuable items kept on campus to aid in identification and recovery.

**International Student Orientation**
The UPD and other university departments conduct orientation for new incoming international students. The orientation includes information on safety awareness, services offered by the police department and general information about weapons, parking issues, alcohol and drug policies, immigration issues concerning I-20’s, possible scam or threats they may encounter.

**Personal Safety Training**: Staff from Health and Wellness Services is available for seminars concerning personal safety for women (361-593-3991).

**Safety Awareness Resources**: Brochures are available through the University Police Department, which provide additional information and training. Student Health and Wellness Services has a brochure on rape prevention and another on acquaintance rape. The university’s Emergency Management Plan is available to the campus community through the Office of Environmental Health and Safety and on the web: [http://www.tamuk.edu/finance/risk/Safety/Emergency%20Management%20Plan.pdf](http://www.tamuk.edu/finance/risk/Safety/Emergency%20Management%20Plan.pdf) with information concerning procedures for emergency evacuation, responding to fire, earthquake, hurricanes, serious injury, bomb threat, hazardous material leaks and violent crimes.

**Sexual Assault Prevention Programs**: The Texas A&M University - Kingsville Police Department provides educational programs to prevent sexual assault and to increase student awareness to circumstances which could lead to sexual assault. These educational programs include: Date Rape, Drug Abuse, Hate Crimes, RAD Program, and Personal Safety.

**University Shuttle Service**: The University operates a shuttle service, B&G Express, with continuous shuttle service for the Texas A&M University-Kingsville campus from 7 a.m. to Midnight; shuttle services from the west side of the Student Union Building to a variety of locations in the City of Kingsville from 2 p.m. to 8 p.m.; free weekend and evening excursions for students to cultural and entertaining venues; and, pre-arranged trips to the Corpus Christi airport and local Greyhound bus station for a small fee. More information can be obtained on the website: [http://www.tamuk.edu/bgexpress/](http://www.tamuk.edu/bgexpress/).
University Police Escort: The campus community members can request an escort to their vehicle or to their residence hall when alone at night by contacting police dispatch at 361-593-2611. Transportation will be provided based on the availability of patrol officers.

Emergency Phones: A total of 18 emergency telephones are located throughout the campus. The University Police Department can be quickly accessed by pushing one button or dialing 9-1-1 depending on the phone being utilized. The location of each phone is pinpointed on the campus map on the inside back cover of this report.

Personal Safety Tips
The safety and well-being of our students, faculty, staff, and visitors will always be a primary institutional goal at Texas A&M University-Kingsville. The UPD can help you protect yourself and your property by reducing the possibility of being victimized. As a member of the university community, you can help in reducing the potential for criminal activity.

The university’s safety and security measures are designed to address every area of campus life, but a safe environment also depends on the awareness and cooperation of individual campus community members.

Here are some common-sense steps you can take for personal safety and loss prevention:

General:
- Remember to call 9-1-1 in case of an emergency
- Know the non-emergency phone number of the Texas A&M University – Kingsville Police: 361-593-2611, program it into your cell phone.
- Notify University Police or a university employee of any individual who appears not to have legitimate business on campus or whose actions arouse suspicion or concern.
- Remain alert, pay attention to your surroundings, and avoid listening to musical devices such as an iPod to make it more difficult to be taken by surprise.
- When traversing the campus at night, stay within well-lit walkways.
- Never prop doors open, even for a short time.
- Park in well-lighted areas, and check the inside of your vehicle before entering it.
- Although the campuses are considered safe, students and staff are encouraged to walk in pairs or groups after dark. Students may request a security escort by calling UPD at 361-593-2611.
- Utilize the Rave Guardian, known as JavGuard, mobile application.

Walking:
- Have a plan, be aware of your surroundings, and walk with confidence
- Walk with a friend whenever possible
- Avoid dark areas, high shrubbery, and shortcuts: stay in well lighted areas
- Try to walk facing oncoming traffic
- Cross streets using marked crosswalks or at intersections
- Use sidewalks
- Maintain a secure grip on purses and personal items
- Keep your cell phone at the ready
- Program the UPD telephone number (361-593-2611) in your cell/smart phone
- Familiarize yourself with the emergency call box locations on campus
- Be wary of newly acquired acquaintances
- Don’t reveal personal information to new found friends
Residence Halls:
- Never give your key or university ID to anyone
- Never open your door to strangers
- Never leave your door open or unlocked, even for a short period of time, when no one is in your room
- Keep all laptops, electronics, jewelry, and expensive items out of sight
- Request I.D. from people you don’t know.
- Close your blinds or shades after dark
- Never “prop” the entrance doors to the residence halls
- Never let anyone “piggyback” into the residence halls when you swipe in
- Don’t leave keys under the door mat or in other “hiding places” and don’t leave notes

Laundry room:
- Be cautious
- Try to never be in the laundry room alone
- Remove clothes promptly from washers and dryers
- Consider folding your clothes in your room

To prevent theft and help in the recovery of stolen property:
- Engrave personal property such as computers, televisions, and stereos
- Record all serial numbers of property and maintain a receipt of purchase in a safe, secure place
- Take photographs of all expensive items. These photographs can assist in proving ownership in the event of a fire or a theft. Keep these photographs in a safe, secure place.

University’s Alcohol and Drug Policy
The university recognizes alcohol/drug dependency as an illness and a major health problem. Excessive use of alcohol and other drugs is a serious health problem in itself, but alcohol and drug abuse also can contribute to a host of other physical and mental health problems such as complications in pregnancy, violent behavior, HIV infection and other sexually transmitted diseases, psychological depression, hallucinations and death. Information, assessment and referral services for alcohol or drug-related problems are available on campus. Services for students are available at Student Health and Wellness Services. Services for employees are available through the university’s human resources office.

University Disciplinary Process for Alcohol and Drugs
University disciplinary charges may be pursued against faculty, staff and students alleged to have violated university regulations and/or local, state and federal laws concerning alcohol and/or controlled substances. Violations of any local, state or federal law pertaining to alcohol and/or controlled substances that occur off campus and are not associated with a university-connected activity may result in disciplinary charges in situations in which the continued presence of the individual on campus is likely to interfere with the educational process and the orderly operation of the university. University disciplinary proceedings will be in accordance with procedures outlined in the Student Code of Conduct and university policy (faculty and staff). Voluntary admission to a substance abuse treatment program prior to the issuance of charges may be looked upon favorably in disciplinary cases. Disciplinary action in cases involving serious alcohol and/or drug-related violations will result in suspension, dismissal or expulsion from the university, depending on the nature and seriousness of the case. Participation in a substance abuse education or treatment program may be required in addition to other sanctions. Any disciplinary action imposed by the university may precede and be in addition to any penalty imposed by an off-campus authority.
Alcohol
In compliance with the Drug Free Schools and Campuses Regulations (34CFR, Part 86) of the Drug Free Schools and Communications Act (DFSCA), and the Higher Education Act (Section 120A), A&M-Kingsville recognizes that the abuse of alcohol and other drugs is a threat to the mission of this institution and to the members of this university community.

Texas A&M University-Kingsville prohibits the unlawful or unauthorized manufacture, distribution, dispensation, possession, use, or sale of alcoholic beverages, controlled substances, and illegal drugs on campus. The impairment by alcohol or drugs of any student or employee while participating in an academic function, or of employees when reporting for work or engaging in work – during normal work hours or other times when required to be at work – is also prohibited. The use of alcoholic beverages by members of Texas A&M University-Kingsville community is at all times subject to the alcoholic beverage laws of the State of Texas. Individuals must be at least 21 years old to purchase, possess or consume alcoholic beverages. Violators are subject to university discipline, criminal prosecution and removal from university housing.

On-campus use of alcohol is limited to certain approved events and locations covered by the guidelines of Texas A&M University-Kingsville’s official policy on alcohol and other drugs.

The Texas Alcoholic and Beverage Code and University policy prohibit the use of alcohol by a minor, someone under 21 years of age. Violations include, but are not limited to:

- Purchase of Alcohol by a Minor: A minor purchases an alcoholic beverage.
- Attempt to Purchase Alcohol by a Minor: A minor does an act amounting to more than mere preparation that tends but fails to effect the commission of the offense intended.
- Consumption of Alcohol by a Minor: A minor consumes an alcoholic beverage.
- Possession of Alcohol by a Minor: A minor possesses an alcoholic beverage.
- Purchase of Alcohol for a Minor; Furnishing Alcohol to a Minor: A person purchases an alcoholic beverage for or gives or makes available an alcoholic beverage to a minor with criminal negligence.
- Misrepresentation of Age by a Minor: A minor falsely states that he is 21 years of age or older or presents any document that indicates he is 21 years of age or older to a person engaged in selling or serving alcoholic beverages.

Punishment for Alcohol-Related Offenses by Minor
Punishment for persons found guilty of alcohol related offenses may include:

- a fine of not less than $250 or more than $2,000;
- confinement in jail for a term not to exceed 180 days; or
- both the fine and confinement.

In addition to any fine and any order issued, the court shall order a minor placed on deferred disposition for or convicted of an offense to which this section applies to perform community service for:

- not less than eight or more than 12 hours, if the minor has not been previously convicted of an offense to which this section applies; or
- not less than 20 or more than 40 hours, if the minor has been previously convicted once of an offense to which this section applies; and

the court shall order the Department of Public Safety to suspend the driver’s license or permit of a minor convicted of an offense to which this section applies or, if the minor does not have a driver’s license or permit, to deny the issuance of a driver’s license or permit for:

- 30 days, if the minor has not been previously convicted of an offense to which this section applies;
- 60 days, if the minor has been previously convicted once of an offense to which this section applies; or
180 days, if the minor has been previously convicted twice or more of an offense to which this section applies.

- Community service ordered under this section must be related to education about or prevention of misuse of alcohol if programs or services providing that education are available in the community in which the court is located. If programs or services providing that education are not available, the court may order community service that it considers appropriate for rehabilitative purposes.

**Carson Starkey Amnesty Policy**

The safety and health of university students is a primary concern at Texas A&M University-Kingsville. As such, any student can seek assistance from the University Police (361-593-2611) for themselves or others who are intoxicated or drug-impaired. Texas statutes provide that a person may not be cited for illegal possession or consumption of alcoholic beverages if the individual:

- requested emergency medical assistance in response to the possible alcohol overdose of the minor or another person;
- was the first person to make a request for medical assistance; and
- if the minor requested emergency medical assistance for the possible alcohol overdose of another person:
  - remained on the scene until the medical assistance arrived; and
  - cooperated with medical assistance and law enforcement personnel.

A complete description of these regulations is contained in the University’s Alcohol Policy and Drug Policy. This policy can be located in the student handbook or at the Dean of Students website:

http://www.tamuk.edu/dean/dean_files/studenthandbook.pdf

**Drugs**

Texas A&M University-Kingsville strives to assist students in achieving their potential as human beings and in becoming self-directed in all activities. Because growth and development are shaped by a student’s experience, the university seeks to develop an environment where students can learn how to live fulfilling and productive lives. Substance abuse disrupts this environment and threatens not only the lives and well-being of our students, faculty and staff but also their potential for contribution to society. It is important for all members of the university community to take responsibility for preventing substance abuse from negatively affecting the community’s learning environment and the academic, physical and emotional well-being of its membership. In recognition of the problems of substance abuse, members of the university community have developed a university-wide drug policy. These policies deal with education, prevention, intervention and treatment activities as well as disciplinary sanctions for those found in violation of the policy. The university has established comprehensive substance abuse prevention programs to help eliminate the threat that substance abuse poses. Through education, the university is committed to helping individuals achieve their personal and academic goals.

**Legal Aspects and Consequences Concerning Controlled Substances and Illegal Drugs**

All members of the university community are expected to abide by local, state and federal laws pertaining to controlled substances and illegal drugs. More specifically, the Texas A&M University-Kingsville Student Code of Conduct prohibits “manufacturing, possessing, having under control, selling, transmitting, using or being party thereto any illegal drug, controlled substance or drug paraphernalia on university premises or at university-sponsored activities.” The term “controlled substances,” when used in this policy, shall refer to those drugs and substances whose possession, sale or delivery results in criminal sanctions under the Texas Controlled Substance Act (Texas Civil Statutes, Article 4476-15), as well as substances that possess a chemical structure similar to that of a controlled substance (e.g., “designer drugs”).

**Education, Prevention and Referral for Treatment**

Texas A&M University-Kingsville is committed to providing comprehensive drug education and prevention as well as early intervention and treatment referral services. Student Health and Wellness provides a broad-based educational
program to assist in the prevention of substance abuse. The university realizes the importance of treatment services in assisting faculty, staff and students to overcome substance abuse problems. Assessment and intervention services are available through Student Health and Wellness. If further treatment is necessary, the student may be referred to outside counselors and programs.

**Controlled Substance Laws and Sanctions**
The following summary is provided for your information. Controlled substances are classified under the Controlled Substances Act into “schedules” that indicate their relative medicinal use and probability of abuse and dependence (addiction), for more information see the Texas Health and Safety Code, Chapter 481, Controlled Substance Act.

**Controlled Substance Schedules**
Schedule I: substance that has a high potential for abuse; and has no accepted medical use in treatment in the United States or lacks accepted safety for use in treatment under medical supervision. Some examples are heroin, marijuana, LSD, PCP, and crack cocaine.

Schedule II: substance that has a high potential for abuse; the substance has currently accepted medical use in treatment in the United States; and abuse of the substance may lead to severe psychological or physical dependence. These drugs include certain narcotic, stimulant, and depressant drugs. Some examples are morphine, cocaine, oxycodone (Percodan®), methylphenidate (Ritalin®), and dextroamphetamine (Dexedrine®).

Schedule III: substance has a potential for abuse less than that of the substances listed in Schedules I and II; the substance has currently accepted medical use in treatment in the United States; and abuse of the substance may lead to moderate or low physical dependence or high psychological dependence. These contain smaller amounts of certain narcotic and non-narcotic drugs, anti-anxiety drugs, tranquilizers, sedatives, stimulants, and non-narcotic analgesics. Some examples are acetaminophen with codeine (Tylenol® No.3), paregoric, diazepam (Valium®), alprazolam (Xanax®), propoxyphene (Darvon®), and pentazocine (Talwin®).

Schedule IV: substance has a lower potential for abuse than that of the substances listed in Schedule III; the substance has currently accepted medical use in treatment in the United States; and abuse of the substance may lead to a more limited physical or psychological dependence than that of the substances listed in Schedule III.

Schedule V: substance has a lower potential for abuse than that of the substances listed in Schedule IV; has currently accepted medical use in treatment in the United States; and may lead to a more limited physical or psychological dependence liability than that of the substances listed in Schedule IV.

**Penalties**
Three factors determine offense level for drug possession, the main factors are; (1) the type of drug; (2) the amount; and (3) surrounding aggravating circumstances (such as drug-free zone or possession with intent to deliver.)

Marijuana, usable amount less than 2 ounces, class B misdemeanor; between 2 and for ounces, class A misdemeanor; 4 ounces to 5 pounds, state jail felony; 5 pounds to 50 pounds 3rd degree felony.

Penalty groups 1 and 2, less than 1 gram, state jail felony; between 1 to 4 grams, 3rd degree felony; between 4 to 200 grams, 2nd degree felony.

Penalty groups 3 and 4, less than 28 grams, 3rd degree felony; 28 to 200 grams, 2nd degree felony; 400 grams or more, 1st degree felony.
Health Risks

The list below only a partial list of the health risks caused by the misuse or abuse of alcohol or drugs:

Excessive alcohol use poses immediate health risks as well as long-term physical consequences. Consuming too much alcohol—even on a single occasion—can result in injury, violence, risky sexual behaviors, miscarriage and stillbirth among pregnant women, and alcohol poisoning. Long-term, excessive use can lead to the development of chronic diseases, neurological impairments, and social problems. In addition, people risk significant health problems when they use illicit drugs or prescription drugs for recreational purposes.

Stimulants (e.g., cocaine, speed) raise blood pressure, increase the heart rate, and cause rapid breathing. Frequent and long-term stimulant use may cause paranoia, anxiety, hallucinations, insomnia, and depression. Hallucinogens (e.g., LSD, “shrooms”) can result in memory impairment and flashbacks, and have been known to lead to injuries and deaths if the user gets violent or out of control due to a “trip.” Sedatives (e.g., heroin, GHB) can cause memory loss, vertigo, reduced heart rate, seizures, insomnia, anxiety, tremors, and respiratory failure.

Description of Drug and Alcohol Abuse Education Programs

Texas A&M University-Kingsville is committed to providing comprehensive drug education and prevention as well as early intervention and treatment referral services. Student Health and Wellness provides a broad-based educational program to assist in the prevention of substance abuse. The university realizes the importance of treatment services in assisting faculty, staff and students to overcome substance abuse problems. Assessment and intervention services are available through Student Health and Wellness. If further treatment is necessary, the student may be referred to outside counselors and programs.

<table>
<thead>
<tr>
<th>WORKSHOP/EVENT</th>
<th>DATE</th>
<th>TOPIC</th>
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<tbody>
<tr>
<td>Mark Sterner – DUI a powerful lesson</td>
<td>March 4, 2014</td>
<td>Alcohol/DUI</td>
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<tr>
<td>Tropical Temptations Safe Spring Break</td>
<td>March 5, 2014</td>
<td>Alcohol/Other Drugs/Date Rape Drugs</td>
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<tr>
<td>Spring Fling</td>
<td>April 2, 2014</td>
<td>Impaired Driving</td>
</tr>
<tr>
<td>Fun in the Sun . . . Health Expo</td>
<td>April 2014</td>
<td>Impaired Driving</td>
</tr>
<tr>
<td>Stress-Free Zone</td>
<td>April 28, 2014</td>
<td>Drugs/Non-medical use of prescribed drugs</td>
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<tr>
<td>Healthy Javelina (Javelina Camp)</td>
<td>August 18, 2014</td>
<td>Alcohol/Other Drugs</td>
</tr>
<tr>
<td>Javelina Healthfest</td>
<td>September 10, 2014</td>
<td>Know your limits – Binge Drinking</td>
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<tr>
<td>SOBER Spirits – Homecoming Kick-off</td>
<td>October 13, 2014</td>
<td>You call the shots – Binge drinking</td>
</tr>
<tr>
<td>OkSOBERfest</td>
<td>October 30, 2014</td>
<td>Impaired driving and binge drinking</td>
</tr>
<tr>
<td>Stress-Free Zone</td>
<td>December 1, 2014</td>
<td>National 3 “0” – drugs drugged driving</td>
</tr>
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</table>
Sexual Assault Prevention and Response
Programs to Prevent Sexual Violence

All members of the campus community should be aware that sexual assaults, including date or acquaintance rape, are prohibited by state laws, system policies and university rules. Texas A&M University-Kingsville prohibits sexual violence, which includes the crimes of dating violence, domestic violence, sexual assault, and stalking. The university is committed to increasing the awareness of and preventing sexual violence. All incoming students and new employees are provided with programming and strategies intended to prevent sexual assault (rape, acquaintance rape, sexual assault), domestic violence, dating violence, and stalking before it occurs.

The University Police Department offers sexual assault education and information programs to university students and employees upon request. Literature on date rape education, risk reduction and university response measures is available through University Housing and Residence Life, Student Health and Wellness Services and the Title IX Coordinator.

Texas A&M University Kingsville prohibits sexual violence, which includes the crimes of dating violence, domestic violence, sexual assault, and stalking. The University is committed to increasing the awareness of and preventing sexual violence. All incoming students and new employees are provided with programming and strategies intended to prevent rape, acquaintance rape, sexual assault, domestic violence, dating violence, and stalking before it occurs.

Sexual Harassment/Sexual Assault Prevention Programs

Awareness programs are 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.

<table>
<thead>
<tr>
<th>Date</th>
<th>Audience</th>
<th>Topic(s) covered</th>
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<tbody>
<tr>
<td>1st business day of</td>
<td>New Employees</td>
<td>Non-discrimination, including sexual misconduct</td>
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<tr>
<td>the month and 2nd</td>
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<td>Monday 8/22/2014</td>
<td>College of Business staff &amp; faculty</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and</td>
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<td></td>
<td>responsibilities, process &amp; procedure, prevention strategies</td>
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<td>8/20/2014</td>
<td>RA training</td>
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<td></td>
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<td>responsibilities, process &amp; procedure, prevention strategies</td>
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<tr>
<td>8/21/2014</td>
<td>College of Education and Human Performance faculty and staff</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and</td>
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<td>responsibilities, process &amp; procedure, prevention strategies</td>
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<tr>
<td>8/21/2014</td>
<td>College of Agriculture faculty and staff</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and</td>
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<td>responsibilities, process &amp; procedure, prevention strategies</td>
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<tr>
<td>Date</td>
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<td>Topics</td>
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<tr>
<td>8/27/2014</td>
<td>Student Athletes</td>
<td>Sexual Misconduct definitions (including consent, sexual harassment, sexual assault), bystander intervention tips, university process of handling student sexual misconduct complaints</td>
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<td>9/4/2014</td>
<td>President's Council</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
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<td>9/8/2014</td>
<td>Men's Basketball team</td>
<td>Student conduct policies related to sexual misconduct, applicable definitions/concepts.</td>
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<td>9/10/2014</td>
<td>Office of Institutional Research</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
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<td>9/10/2014</td>
<td>iTech staff</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
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<td>9/11/2014</td>
<td>Student Access staff</td>
<td>Title IX Overview: Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
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<tr>
<td>9/15/2014</td>
<td>TAMUK Foundation/Alumni staff</td>
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<td>Division of Enrollment Mgmt. staff</td>
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<td>Division of Finance and Student affairs staff</td>
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<td>Finance and Budget staff</td>
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<tr>
<td>Date</td>
<td>Group</td>
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<tr>
<td>9/22/2014</td>
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<td>Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
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<td>9/25/2015</td>
<td>Athletics &amp; Campus Recreation Department Staff</td>
<td>Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
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<td>9/25/2014</td>
<td>iTech staff</td>
<td>Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
</tr>
<tr>
<td>9/26/2014</td>
<td>Student Success staff</td>
<td>Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
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<td>9/30/2014</td>
<td>Academic Advisors</td>
<td>Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
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<td>10/1/2014</td>
<td>College of Arts &amp; Sciences staff and faculty</td>
<td>Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
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<td>10/2/2014</td>
<td>Division of Enrollment Mgmt. staff</td>
<td>Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
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<td>10/2/2014</td>
<td>College of Arts &amp; Sciences staff and faculty</td>
<td>Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
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<td>10/10/2014</td>
<td>College of Agriculture faculty and staff</td>
<td>Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
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<td>10/17/2014</td>
<td>Library staff and faculty</td>
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<td>10/18/2014</td>
<td>Library staff and faculty</td>
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<td>11/7/2014</td>
<td>CKWRI Graduate students</td>
<td>Law, sexual misconduct related definitions, employee rights and responsibilities, process &amp; procedure, prevention strategies</td>
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</tbody>
</table>
Ongoing and Primary Prevention and Awareness Campaigns

Ongoing prevention and awareness events feature 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 and including information described in the university’s most recent Annual Security Report.

Primary Prevention Programs focus on programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

Ongoing prevention and awareness campaigns are also offered throughout the year. These programs include:

<table>
<thead>
<tr>
<th>EVENT/WORKSHOP</th>
<th>DATE</th>
<th>ITEMS ADDRESSED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Walk A Mile in Her</td>
<td>April 23, 2014</td>
<td>Students uniting to End Gender Violence and Resources available both on and off campus</td>
</tr>
<tr>
<td>Shoes</td>
<td></td>
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<tr>
<td>Take Back the Night</td>
<td>April 23, 2014</td>
<td>Students uniting to take back the night. Activities</td>
</tr>
<tr>
<td>EVENT</td>
<td>DATE</td>
<td>GUEST SPEAKER FOR EVENT</td>
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<tr>
<td>Javelina Camp</td>
<td>August 18, 2014</td>
<td>“Title IX Nine Things Javelinas Should Know”; Consent is Sexy included Speakers, Open Mic; Resources, and Candlelight Vigil.</td>
</tr>
<tr>
<td>Welcome Week</td>
<td>August 25-26, 2014</td>
<td>“Title IX Nine Things Javelinas Should Know”; Consent is Sexy</td>
</tr>
<tr>
<td>Sober Spirits Homecoming Kick-Off</td>
<td>October 13, 2014</td>
<td>Safe Sex Kits - Promoting Message Got Consent?</td>
</tr>
<tr>
<td>Breastoberfest – Residence Life Event</td>
<td>October 22, 2014</td>
<td>Gender Bullying - Bystander Intervention – STEP UP Javelinas!</td>
</tr>
<tr>
<td>Stress Free-Zone</td>
<td>December 1, 2014</td>
<td>Gender Bullying - Bystander Intervention – STEP UP Javelinas!</td>
</tr>
<tr>
<td>PEP Talk – Returning members</td>
<td>September 22, 2014</td>
<td>“Title IX - Nine Things Javelinas Should Know”; Consent is Sexy (Sexual Misconduct university rule); STEP – UP Javelinas</td>
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<tr>
<td>PEP Talk – New Member Retreat</td>
<td>September 26, 2014</td>
<td>“Title IX Nine Things Javelinas Should Know”; Consent is Sexy – Poster Presentation (Sexual Misconduct university rule)</td>
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<tr>
<th>EVENT</th>
<th>DATE</th>
<th>GUEST SPEAKER FOR EVENT</th>
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</thead>
<tbody>
<tr>
<td>Title IX and Clery Training</td>
<td>Jan. 8, 2014</td>
<td>Karen Royal, Director of Compliance</td>
</tr>
<tr>
<td>Sex Education (Educational Program)</td>
<td>Feb. 2014</td>
<td>Twjin Li, HIV/AIDS Chair SNPhA, Pharmacy School Student</td>
</tr>
</tbody>
</table>
**STD Awareness (Educational Program)-Focused on Sexual Harassment and Safe Spring Break**
Feb. 2014  
Andy Hernandez, Sergeant  
University Police Department

**Safe Valentine’s Date Tips (Educational Program)**
Feb. 2014  
Brandy Rucker, Rape Suicide Domestic Violence and Child Abuse Organization (RSDC), TAMUK Student

**Spring Break Safety (Educational Program)**
March 2014  
Kassandra Canales, Student Health & Wellness Graduate Student

**Ways to Party Smart (Educational Program)**
April 2014  
JoElda Castillo-Alaniz, Director of Student Health & Wellness

**Women’s Health (Educational Program)**
April 2014  
JoElda Castillo-Alaniz, Director of Student Health & Wellness

**Domestic Violence & Sexual Assault Awareness (Educational Program)**
April 2014  
Emily Ralph, Social Work Professor

**Campus Living & Safety**
July 2014  
JoElda Castillo-Alaniz, Director of Student Health & Wellness

**Title IX Training**
Aug. 19, 2014  
Amy O’Neill, Compliance Office

**Men’s Health (Educational Program)**
Nov. 2014  
Rowena Trevino, Student Health & Wellness Graduate Student/Advocate

### Violence Against Women Reauthorization Act of 2013 (VAWA)

On March 7th, 2013, the Violence Against Women Reauthorization Act of 2013 (VAWA) was enacted by the United States Congress. Among other provisions, this law amended sections of the Clery Act. These statutory changes require institutions to compile statistics for certain crimes that are reported to campus security authorities or local police agencies including incidents of sexual assault, domestic violence, dating violence, and stalking. Additionally, institutions will be required to include certain policies, procedures, and programs pertaining to these crimes in their Annual Security Reports beginning with the 2013 Annual Security Report.

Texas A&M University-Kingsville strictly prohibits the offenses of domestic violence, dating violence, sexual assault, stalking, or other forms of sexual misconduct. Offenders may be subject to appropriate campus adjudication processes, disciplinary action, and/or criminal proceedings. The university utilizes procedures that provide prompt, fair, and impartial investigation and resolution in cases involving domestic violence, dating violence, sexual assault, and stalking. These procedures are carried out by officials who receive specific annual training.

Sexual violence is a form of sexual harassment and services are available to students, faculty, and staff who experience sexual violence, domestic violence, dating violence, and instances of stalking. In these situations, Texas A&M University-Kingsville is committed to providing crisis intervention measures for students, faculty, and staff, as well as appropriate administrative response for the complainant and respondent; referring individuals to criminal authorities; and educating and promoting discussion on interpersonal abuse and violence issues. The university’s process does not preclude adjudication under state law. The University prohibits retaliation by its officers, employees, students, or agents against a person who exercises his or her rights or responsibilities under any provision federal or state law, including Title IX and the Campus SaVE Act, or this policy.
**Consent in Reference to Sexual Activity**

Texas Penal Code § 1.07 (11) "Consent" means assent in fact, whether express or apparent. (19) "Effective consent" includes consent by a person legally authorized to act for the owner. Consent is not effective if: (A) induced by force, threat, or fraud; (B) given by a person the actor knows is not legally authorized to act for the owner; (C) given by a person who by reason of youth, mental disease or defect, or intoxication is known by the actor to be unable to make reasonable decisions; or (D) given solely to detect the commission of an offense.

Penal Code § 22.011 Sexual Assault, (b) A sexual assault under Subsection (a)(1) is without the consent of the other person if: (1) the actor compels the other person to submit or participate by the use of physical force or violence; (2) the actor compels the other person to submit or participate by threatening to use force or violence against the other person, and the other person believes that the actor has the present ability to execute the threat; (3) the other person has not consented and the actor knows the other person is unconscious or physically unable to resist; (4) the actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it; (5) the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring; (6) the actor has intentionally impaired the other person's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge; (7) the actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat; or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and the condition of) sexual activity. Consent to any one form of sexual activity cannot automatically imply consent to other forms of sexual activity. Previous relationships or prior consent cannot imply consent to future sexual acts. Consent can be withdrawn at any time.

**Safe and Positive Options for Bystander Intervention**

Everyone has a role to play in preventing sexual assault. There are many different ways that you can step in or make a difference if you see someone at risk. This approach to preventing sexual assault is referred to as “bystander intervention.”

Bystander Intervention involves 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.

- Be aware of comments and behaviors from others that would indicate they are intent on having sexual intercourse even if a partner is unwilling.
- Notice if someone is getting ready to have sexual intercourse with a partner who is incapacitated.
- Never pressure or encourage friends to drink or have sex as often or with as many people as possible.
- Never joke about sexual assault; comments and jokes that are meant to “ease the tension” or are “just kidding around” can trivialize the severity of the behavior.
- Know your level of comfort with conversations and talk about sexual behavior. If you find groups or individuals who talk about sexual relationships that are not in sync with how you feel, or the type of relationship you want, do not be afraid to state your position.
- Many perpetrators are unaware that what they have done is a crime. They may say, “Yeah, that was messed up, but it was fun.” Let them know that what they did was not right and was against the law.
Your role in preventing sexual assault

The key to keeping your friends safe is learning how to intervene in a way that fits the situation and your comfort level. Having this knowledge on hand can give you the confidence to step in when something isn’t right. Stepping in can make all the difference, but it should never put your own safety at risk.

- Create a distraction. Do what you can to interrupt the situation. A distraction can give the person at risk a chance to get to a safe place. Cut off the conversation with a diversion like, “Let’s get pizza, I’m starving,” or “This party is lame. Let’s try somewhere else.” Bring out fresh food or drinks and offer them to everyone at the party, including the people you are concerned about. Start an activity that draws other people in, like a game, a debate, or a dance party.
- Ask directly. Talk directly to the person who might be in trouble. Ask questions such as “Who did you come here with?” or “Would you like me to stay with you?”
- Refer to an authority. Sometimes the safest way to intervene is to refer to a neutral party with the authority to change the situation, such as a resident assistant, security guard, bartender, or other employee. It’s in their best interest to ensure that their patrons are safe, and they will usually be willing to step in. Don’t hesitate to call 9-1-1 if you are concerned for someone else’s safety.
- Enlist others. It can be intimidating to approach a situation alone. Enlist another person to support you or to come with you to approach the person at risk. Or ask someone to intervene in your place. For example, you could ask someone who knows the person at risk to escort that person to the bathroom. Enlist the friend of the person you’re concerned about by saying, “Your friend looks like they’ve had a lot to drink. Can you check on them?”

If you become aware that a sexual assault has occurred or are told of an assault occurring:
- Believe the person.
- Tell the victim it is not their fault.
- Encourage the victim to talk to a professional, such as someone from Student Health and Wellness (confidential resource), University Police, the dean of students, or the Title IX Coordinator. Realize, however, there may be reasons that the person does NOT want to do that at this time. Respect that decision.
- Don’t pry or try to get information out of the person if they are unwilling to be forthcoming with information. Be ready to listen when the individual is ready to talk.
- If you learn of the perpetrator’s identity, don’t suggest physical retaliation of any kind.
- Know available resources.
- Listen.
- Be patient.

Sexual Violence Risk Reduction

The following are some strategies to reduce one’s risk of sexual violence (adapted from the Rape, Abuse, and Incest National Network (RAINN) at: www.rainn.org and Love is Respect at: www.loveisrespect.org or other similar help sites). Risk reduction options are 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.

If someone is pressuring you, or if you need to get out of an uncomfortable or scary situation:
- Remember that being in this situation is not your fault. You did not do anything wrong; it is the person who is making you uncomfortable who 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. Do what feels right to you and what you are comfortable with.
• Have a code word with your friends or family so that if you don’t feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come get you or make up an excuse for you to leave.
• 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. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
• Try to think of an escape route. How would you try to get out of the room? Where are the doors or windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
• If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

In a social situation:
• When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
• Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately.
• Don’t leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you’ve left your drink alone, get a new one.
• Don’t accept drinks from people you don’t know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don’t drink from the punch bowls or other large, common open containers.
• Make or order your own drinks and never feel pressured to have “just one more.”
• Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they’ve had, or is acting out of character, get him or her to a safe place immediately.
• If you suspect you or a friend has been drugged, contact law enforcement immediately. Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).

Sexual Assault, Dating Violence, Domestic Violence, and Stalking Laws
Texas Penal Code Sec. 21.01. DEFINITIONS. In this section:
(1) "Deviate sexual intercourse" means: (A) any contact between any part of the genitals of one person and the mouth or anus of another person; or (B) the penetration of the genitals or the anus of another person with an object.
(2) "Sexual contact" means, except as provided by Section 21.11, any touching of the anus, breast, or any part of the genitals of another person with intent to arouse or gratify the sexual desire of any person. (3) "Sexual intercourse" means any penetration of the female sex organ by the male sex organ. (4) "Spouse" means a person to whom a person is legally married under Subtitle A, Title 1, Family Code, or a comparable law of another jurisdiction.

Texas Penal Code, Sec. 22.011. SEXUAL ASSAULT. (a) A person commits an offense if the person:
(1) 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) intentionally or knowingly: (A) causes the penetration of the anus or sexual organ of a child by any means; (B) causes the penetration of the mouth of a child by the sexual organ of the actor; (C) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; (D) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or (E) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor.
(b) A sexual assault under Subsection (a)(1) is without the consent of the other person if:
(1) the actor compels the other person to submit or participate by the use of physical force or violence; (2) the actor compels the other person to submit or participate by threatening to use force or violence against the other person, and the other person believes that the actor has the present ability to execute the threat; (3) the other person has not consented and the actor knows the other person is unconscious or physically unable to resist; (4) the actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it; (5) the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring; (6) the actor has intentionally impaired the other person's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge; (7) the actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat; (8) the actor is a public servant who coerces the other person to submit or participate; (9) the actor is a mental health services provider or a health care services provider who causes the other person, who is a patient or former patient of the actor, to submit or participate by exploiting the other person's emotional dependency on the actor; (10) the actor is a clergyman who causes the other person to submit or participate by exploiting the other person's emotional dependency on the clergyman in the clergyman's professional character as spiritual adviser; or (11) the actor is an employee of a facility where the other person is a resident, unless the employee and resident are formally or informally married to each other under Chapter 2, Family Code.

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

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

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

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

Texas Penal Code, Sec. 22.021. AGGRAVATED SEXUAL ASSAULT. (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) 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; 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) administers or provides flunitrazepam, otherwise known as rohypnol, gamma hydroxybutyrate, or ketamine to the victim of the offense with the intent of facilitating the commission of the offense; (B) the victim is younger than 14 years of age; 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" and "disabled individual" have the meanings assigned by Section 22.04(c). (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).

Sec. 42.072. STALKING. (a) A person commits an offense if the person, on more than one occasion and pursuant to the same scheme or course of conduct that is directed specifically at another person, knowingly engages in conduct that:

(1) constitutes an offense under Section 42.07, or that the actor knows or reasonably should know the other person will regard as threatening: (A) bodily injury or death for the other person; (B) bodily injury or death for a member of the other person's family or household or for an individual with whom the other person has a dating relationship; or (C) that an offense will be committed against the other person's property; (2) causes the other person, a member of the other person's family or household, or an individual with whom the person has a dating relationship to be placed in fear of bodily injury or death or in fear that an offense will be committed against the person's property, or to feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended; and (3) would cause a reasonable person to: (A) fear bodily injury or death for himself or herself; (B) fear bodily injury or death for a member of the person's family or household or for an individual with whom the person has a dating relationship; (C) fear that an offense will be committed against the person's property; or (D) feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended.

(b) An offense under this section is a felony of the third degree, except that the offense is a felony of the second degree if the actor has previously been convicted of an offense under this section or of an offense under any of the following laws that contains elements that are substantially similar to the elements of an offense under this section: (1) the laws of another state; (2) the laws of a federally recognized Indian tribe; (3) the laws of a territory of the United States; or (4) federal law.

(c) For purposes of this section, a trier of fact may find that different types of conduct described by Subsection (a), if engaged in on more than one occasion, constitute conduct that is engaged in pursuant to the same scheme or course of conduct.
(d) In this section: (1) "Dating relationship," "family," "household," and "member of a household" have the meanings assigned by Chapter 71, Family Code. (2) "Property" includes a pet, companion animal, or assistance animal, as defined by Section 121.002, Human Resources Code.

Texas Family Code, Sec. 71.0021. DATING VIOLENCE. (a) "Dating violence" means an act, other than a defensive measure to protect oneself, by an actor that: (1) is committed against a victim: (A) with whom the actor has or has had a dating relationship; or (B) because of the victim's marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and (2) is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the victim in fear of imminent physical harm, bodily injury, assault, or sexual assault.

(b) For purposes of this title, "dating relationship" means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on consideration of: (1) the length of the relationship; (2) the nature of the relationship; and (3) the frequency and type of interaction between the persons involved in the relationship.

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

Texas Family Code, Sec. 71.004. FAMILY VIOLENCE. "Family violence" means:
(1) an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself; (2) abuse, as that term is defined by Sections 261.001(1)(C), (E), and (G), by a member of a family or household toward a child of the family or household; or (3) dating violence, as that term is defined by Section 71.0021.

Sec. 71.005. HOUSEHOLD. "Household" means a unit composed of persons living together in the same dwelling, without regard to whether they are related to each other.

Sec. 71.006. MEMBER OF A HOUSEHOLD. "Member of a household" includes a person who previously lived in a household.

Sexual Violence
Victim’s Options for Reporting Sexual Violence
As a crime victim, you will have questions. What should you do? Generally speaking, a victim of sexual assault, dating violence, domestic violence, or stalking has four choices:

- Choose to not report the crime to police or any campus authority.
- Report the crime to University Police anonymously.
- Report the crime to University Police 361-593-2611 or local police with the intent of pressing criminal charges.
- Report the crime to the university, including the Title IX Coordinator 361-593-4758, with the intent of using the Student Code of Conduct Process to hold the offender responsible. See Texas A&M University – Kingsville’s Sexual Misconduct Policy on page 84 in the Student Handbook or online: http://www.tamuk.edu/dean/dean_files/studenthandbook.pdf.

If you are the victim of a sexual assault on the campus of Texas A&M University-Kingsville

- your first priority should be to get to a place of safety
- the victim should make every attempt to preserve any physical evidence of the assault; avoid destroying evidence by bathing or showering, douching, changing clothes, or cleaning up in any way, or disposing of any damaged clothing or other items that were present after/during the assault
obtaining necessary medical treatment. This may include a voluntary medical exam post-assault medical care can be performed at a local emergency room or designated hospital. Many hospitals have a specialized examiner who can complete an exam for victims of sexual violence. Such an exam can help the victim receive an appropriate medical assessment and treatment, and can preserve evidence for possible future action.

- pursuing counseling services with appropriate agencies (e.g., Student Health and Wellness, Employee Assistance Program (EAP), or private providers)
- calling someone that is known and trusted, such as a friend or counselor, and discussing with this person the assault can help to evaluate the trauma to sort out next steps
- making a police report. You can initiate a campus and/or criminal complaint for the assault. You may obtain assistance from campus authorities in this notification.
- making a report to a campus security authority (CSA), Title IX coordinator, deputy Title IX coordinator, or other responsible employee under Title IX
- making an anonymous report. An anonymous report to the police notifies them that an act of sexual violence has occurred but gives no names or identification.

When a sexual assault victim contacts the University Police Department, the UPD will contact the Director of Student Health and Wellness Services or designee and the Title IX Coordinator will also be notified. Student Health and Wellness Services staff will guide the victim through the available options and support the victim in his/her decisions. The victim also will be encouraged to access the counseling services offered through Student Health and Wellness Services.

The victim of a sexual assault may choose for the investigation to be pursued through the criminal justice system, the campus disciplinary system or both. The university police, with the victim’s consent, will immediately conduct a criminal investigation of on-campus sexual assault incidents. Completed investigations will be forwarded to the District Attorney’s Office for review and possible prosecution. University disciplinary action may be imposed on individual students, recognized student organizations and/or university faculty and staff found in violation of the university sexual misconduct policy. Students may be placed on probation, suspended or expelled, for committing violent or criminal acts on campus or at campus-related events. University disciplinary proceedings are detailed in the Texas A&M University - Kingsville student handbook.

In the case of alleged sexual assault, the accuser and the accused are entitled to the same opportunities to have others present during a campus disciplinary proceeding; and both shall be informed of the outcome of any campus disciplinary proceedings brought alleging a sexual assault. The university will assist the victim in changing academic and living situations if so required and if such changes are reasonably available.

The institution will upon written request, disclose to the alleged victim of a crime of violence, or non-forceable sex offense, the results of any disciplinary hearing conducted by the university against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, the institution will provide the results of the disciplinary hearing to the victim’s next of kin, if so requested.

Sexual Assault/Sexual Violence Resources

- A&M-Kingsville Office of Human Resources: 361-593-3705
- A&M-Kingsville Student Health and Wellness Department: 361-593-3991
- A&M-Kingsville Title IX Coordinator: 361-593-4758
- Family Violence and Sexual Assault Prevention Center of South Texas: 1-800-580-4878
- Protective Orders – Victim’s Assistance Coordinator, County Attorney Office: 361-595-8583
- Women’s Shelter: 361-516-0288

The University Police Department works in concert with Student Health and Wellness Department and the Health Care
Clinic, taking a team approach in dealing with sensitive situations and referring persons to counseling services, as needed. Police officers are trained in threat assessment and licensed professional Counselors encourage their clients to report crimes to the University Police Department to prevent the potential for future crimes. Crime information can be forwarded anonymously at the request of the client to the University Police Department.

Counselors do not disclose information to the police department without the consent of the client unless there is an immediate threat to safety.

Sexual Assault/Sexual Violence Risk Reduction Tips:
With no intent to victim blame and recognizing that only rapists are responsible for rape, the following are some strategies to reduce one’s risk of sexual assault or harassment:

• Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
• Try to avoid isolated areas. It is more difficult to get help if no one is around.
• Walk with purpose. Even if you don’t know where you are going, act like you do.
• Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn’t the best place to be.
• Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
• Make sure your cell phone is with you and charged and that you have cab money.
• Don’t allow yourself to be isolated with someone you don’t trust or someone you don’t know.
• Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
• When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
• Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (UPD can be reached by calling 361-593-2611 or calling 9-1-1 in most areas of the U.S.).
• Don’t leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you’ve left your drink alone, get a new one.
• Don’t accept drinks from people you don’t know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don’t drink from the punch bowls or other large, common open containers.
• Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they’ve had, or is acting out of character, get him or her to a safe place immediately.
• If you suspect you or a friend has been drugged, contact law enforcement. Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly other medical tests).

Procedures Victims Should Follow in Cases of Sexual Violence
If the Assault Just Occurred
• Remember the assault was not your fault.
• Make sure you are in a safe place.
• If you do not feel safe and need immediate police or medical assistance, call 9-1-1 or if on campus 361-593-2611. Police can also take you to the hospital or meet you there.
• Contact someone who can help you: a friend, the police (at 361-593-2611 if on campus or 9-1-1 if off campus), a relative - any or all of the above.
• Report the incident to a CSA who can assist you in notifying UPD or other law enforcement agencies, if you so choose.
• Get medical attention at a hospital emergency room right away. You do not have to report the incident to the police to be seen in the emergency room or to have an evidence-gathering exam (e.g., using a sexual assault nurse examiner kit).

• Seek medical help whether or not you want to report the incident. You may have injuries you are not aware of, and a doctor can help you do what you can to prevent pregnancy or sexually transmitted infections.

• Do not shower, drink or eat, douche, or change your clothes. These activities destroy important physical evidence in the event that you decide to press criminal charges against the assailant.

• As soon as you have a quiet moment, write down everything that you remember happening, with as much detail as possible. This will help with your own healing process and in any legal action you might decide to take.

As soon as possible, the victim of a sexual assault should report the incident to the University Police Department or to the local police, if the incident took place off campus. University Housing and Residence Life staff, Dean of Students or other appropriate university staff of Texas A&M University-Kingsville will assist reporting to outside agencies as appropriate. Filing a police report with UPD will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers. Filing a report will:

• Ensure that a victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim.

• Provide the opportunity for collection of evidence helpful in prosecution or obtaining a protection order, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet or change clothing prior to a medical/legal exam).

• Assure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.

Preserving Physical Evidence

If an incident of sexual assault, domestic violence, dating violence, or stalking occurs, it is important to preserve evidence to aid in the possibility of a successful criminal prosecution or obtaining a protection order. The victim of a sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical exam. Any clothing removed should be placed in a paper bag. Evidence of violence, such as bruising or other visible injuries following an incident of domestic or dating violence should be documented including through the preservation of photographic evidence. Evidence of stalking including any communication, such as written notes, voicemail, or other electronic communications should be saved and not altered in any way. For more information about how to preserve evidence, contact the University Police Department at 361-593-2611.

Medical Exam Following Sexual Assault

If you go to a hospital as a result of a sexual assault, you are entitled to a free evidence collection examination performed by a sexual assault nurse examiner (SANE). Texas Code of Criminal Procedure, Art. 56.06. MEDICAL EXAMINATION FOR SEXUAL ASSAULT VICTIM WHO HAS REPORTED ASSAULT; COSTS. (a) If a sexual assault is reported to a law enforcement agency within 96 hours of the assault, the law enforcement agency, with the consent of the victim, a person authorized to act on behalf of the victim, or an employee of the Department of Family and Protective Services, shall request a medical examination of the victim of the alleged assault for use in the investigation or prosecution of the offense. A law enforcement agency may decline to request a medical examination under this subsection only if the person reporting the sexual assault has made one or more false reports of sexual assault to any law enforcement agency and if there is no other evidence to corroborate the current allegations of sexual assault. (b) If a sexual assault is not reported within the period described by Subsection (a), on receiving the consent described by that subsection the law enforcement agency may request a medical examination of a victim of an alleged sexual assault as considered appropriate by the agency. (c) A law enforcement agency that requests a medical examination of a victim of an alleged sexual assault for use in the investigation or prosecution of the offense shall pay all costs of the examination. On application to the attorney general, the law enforcement agency is entitled to be reimbursed for the reasonable costs of that examination if the examination
was performed by a physician or by a sexual assault examiner or sexual assault nurse examiner, as defined by Section 420.003, Government Code.

(d) A law enforcement agency or prosecuting attorney's office may pay all costs related to the testimony of a licensed health care professional in a criminal proceeding regarding the results of the medical examination or manner in which it was performed.

(e) This article does not require a law enforcement agency to pay any costs of treatment for injuries.

Texas A&M University-Kingsville departments (Student Health and Wellness, University Police, Title IX Coordinator) use area hospitals for such an exam, Memorial Medical Trauma Center, Corpus Christi; Doctor's Regional Hospital, Corpus Christi; or Driscoll Children's Hospital, Corpus Christi, where they have specially trained nurses on call 24 hours a day for such purposes. The nurse will collect the evidence and ask the university police to pick it up and store it for at least six months. The evidence will be in a box marked only with a number, not your name. You are not required to make an official police report for this evidence to be collected. If you later decide to make such a report, the hospital will give your name to the police and the evidence kit will be tested for possible use in a court case. For assistance in this process, contact the University Police Department at 361-593-2611.

Texas Code of Criminal Procedure, Article 56.065. MEDICAL EXAMINATION FOR SEXUAL ASSAULT VICTIM WHO HAS NOT REPORTED ASSAULT; COSTS. (a) In this article:

(1) "Crime laboratory" has the meaning assigned by Article 38.35.
(2) "Department" means the Department of Public Safety.
(3) "Sexual assault examiner" and "sexual assault nurse examiner" have the meanings assigned by Section 420.003, Government Code.

(b) This article applies to the following health care facilities that provide diagnosis or treatment services to victims of sexual assault: (1) a general or special hospital licensed under Chapter 241, Health and Safety Code; (2) a general or special hospital owned by this state; (3) an outpatient clinic; and (4) a private physician's office.

(c) In accordance with Subchapter B, Chapter 420, Government Code, and except as provided by Subsection (e), a health care facility shall conduct a forensic medical examination of the victim of an alleged sexual assault if:

(1) the victim arrives at the facility within 96 hours after the assault occurred; (2) the victim consents to the examination; and (3) at the time of the examination the victim has not reported the assault to a law enforcement agency.

(d) The department shall pay the appropriate fees, as set by attorney general rule, for the forensic portion of the medical examination and for the evidence collection kit if a physician, sexual assault examiner, or sexual assault nurse examiner conducts the forensic portion of the examination within 96 hours after the alleged sexual assault occurred. The attorney general shall reimburse the department for fees paid under this subsection.

(e) If a health care facility does not provide diagnosis or treatment services to victims of sexual assault, the facility shall refer a victim seeking a forensic medical examination under Subsection (c) to a health care facility that provides services to those victims.

(f) The department, consistent with Chapter 420, Government Code, may develop procedures regarding the submission or collection of additional evidence of the alleged sexual assault other than through an examination as described by this article.

(g) The department, consistent with Chapter 420, Government Code, shall develop procedures for the transfer and preservation of evidence collected under this article to a crime laboratory or other suitable location designated by the public safety director of the department. The receiving entity shall preserve the evidence until the earlier of:

(1) the second anniversary of the date the evidence was collected; or (2) the date on which written consent to release the evidence is obtained as provided by Section 420.0735, Government Code.

(h) The victim may not be required to: (1) participate in the investigation or prosecution of an offense as a condition of receiving a forensic medical examination under this article; or (2) pay for the forensic portion of the medical examination or for the evidence collection kit.

(i) The attorney general and the department each shall adopt rules as necessary to implement this article.
A communication or record that contains identifying information regarding a person who receives a forensic medical examination under this article and that is created by, provided to, or in the control or possession of the department is confidential for purposes of Section 552.101, Government Code. In this subsection, “identifying information” includes: (1) information revealing the identity, personal history, or background of the person; or (2) information concerning the victimization of the person.

If the Assault Occurred Some Time Ago
You may just now be realizing that your experience was unwanted, or may finally be ready to call the experience a sexual assault. Even if the incident did not take place recently, you still have options.
• Remember that sexual assault is never your fault. Believe in yourself. Get the support you deserve and give yourself time to heal.
• Consider seeking medical attention. You may still need treatment of physical symptoms.
• Seek counseling. Unresolved experiences of sexual assault can have long-term psychological and social effects.
• Take advantage of resources that are there for you. Consult with Student Health and Wellness 361-593-3991, Title IX Coordinator 361-593-4758, University Police Department 361-593-2611 explore your options regarding:
  • receiving medical care
  • reporting the incident to the police
  • pursuing campus judicial intervention
  • seeking academic or administrative intervention

Dating Violence/Domestic Violence
The Texas A&M University-Kingsville Police Department takes dating and domestic/family violence complaints seriously. The nature and seriousness of crimes committed between dating partners, family or household members are not mitigated because of the relationships or living arrangements of those involved. Therefore, law enforcement must be thorough when responding to dating violence and/or domestic violence calls. An immediate criminal justice response can make a major difference in the disputants' lives. If an assault should occur, the victim should go to a safe place and contact a friend or family member for support. Call the Texas A&M University-Kingsville police if the incident occurred on campus at 361-593-2611; if the incident occurred in the City of Kingsville call the Emergency 911, or Business 361-592-4311 for assistance. For locations not in Kingsville, the incident should be reported to local law enforcement and/or the appropriate campus authorities.

With all due consideration for their own safety, the primary duties of a peace officer of the Texas A&M University-Kingsville Police department responding to a dating and/or domestic disturbance and who investigates a dating/domestic/family violence allegation or who responds to a disturbance call that may involve dating/domestic/family violence are:
  • to protect any potential victim of dating/domestic/family violence,
  • enforce the law of this state,
  • enforce a protective order from another jurisdiction and
  • make lawful arrests of violators.

State law requires a peace officer who investigates a dating/domestic/family violence incident or who responds to a disturbance call that may involve dating/domestic/family violence, (the officer), shall make a written report, including but not limited to:
  • the names of the suspect and complainant;
  • the date, time, and location of the incident;
  • any visible or reported injuries;
  • a description of the incident and a statement of its disposition; and
whether the suspect is a member of the state military forces or is serving in the armed forces of the United States in an active-duty status.

In Texas domestic violence laws apply to incidents of violence in domestic situations that cause bodily injury, threaten to cause imminent bodily injury, or cause any kind of physical contact that someone could reasonably expect would cause the other person to regard as offensive or provocative, including forceful detention which results in physical injury or places one in reasonable apprehension of bodily injury, impeding the normal breathing or circulation of the blood of the person by applying pressure to the person's throat or neck or by blocking the person's nose or mouth and which is committed by a person against such person's family or household member. "Family violence" means: (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 by a member of a family or household toward a child of the family or household; or (3) dating violence.

In essence domestic violence is any violent or controlling behavior by a person toward a spouse or partner. Although the partner is the primary target, domestic abuse also affects the children in the household, extended family members, and even the community at large.

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

Indicators in a relationship that might be warning signs of impending dating violence:
- Always wanting to know where you are and who you are with
- Not wanting you to spend time with others
- Getting angry if you do not answer a call or text immediately
- Always blaming you for their mistakes
- Calling you names or constantly putting you down
- Yelling constantly, throwing or punching objects
- Pressuring you to do more sexually than you are ready for

Be aware of these indicators and trust your instincts. Instincts may have told victims that there was something wrong early on but they disregarded the warning signs and didn’t know that these signs were indicative of an abusive relationship. Understand barriers to getting help such as fear of being judged, embarrassment and not wanting to admit that it’s a real problem. Always take time to get to know a potential partner and watch for patterns of behavior in a variety of settings. Keeping in touch with your support system and confide in them. Participating in good self-care can lower your risk of being involved in an abusive relationship. If anyone has been hit or abused by dating partner and they want to report it as a crime; they should immediately call the call the Texas A&M University-Kingsville Police if the incident occurred on campus at 361-593-2611; if the incident happened in the City of Kingsville call the Emergency 911, or Business 361-592-4311 for assistance. Go to a safe place. Contact a friend or family member for support if possible.
A victim may choose a pseudonym to be used instead of the victim's name to designate the victim in all public files and records concerning the offense, including police summary reports, press releases, and records of judicial proceedings. A victim who elects to use a pseudonym must complete a pseudonym form developed under this article and return the form to the law enforcement agency investigating the offense.

The Texas A&M University-Kingsville Police will arrest the aggressor when probable cause exists by the totality of the circumstances which may include: evidence that any of the parties acted in self-defense; a history of violence (prior assault convictions) of the parties involved, including history of calls for service; the relative severity of injuries inflicted on all parties, plus consideration whether the injuries were offensive or defensive; the relative size, bulk, and strength of the parties involved; evidence from persons involved in or witnesses to the incident; the likelihood of future injury to any party; and, current or previous protection orders filed against either party. As with any crime, it is important to preserve evidence. Physical evidence can include injuries of the victim, evidentiary articles that substantiate an attack and the crime scene itself. Photographs of injuries and the crime scene showing a struggle occurred can be invaluable.

A student victim of dating violence has the right, in addition to filing charges through the criminal justice system, to file a complaint with the Office of the Dean of Students, 361-593-3606, along with criminal prosecution, University judicial action is an option that can be pursued in lieu of/or concurrent with legal prosecution. University students may report the incident to the Dean of Students, regardless of whether the act of violence occurred on or off-campus since the university reserves the right to hold students accountable for certain types of off-campus behavior. Disciplinary action will result if a student’s behavior jeopardizes the educational atmosphere or mission of the institution. Sanctions may include disciplinary probation and educational programs and may result in suspension from the university.

**Dating Violence/Domestic Violence Resources**
- A&M-Kingsville Office of Human Resources: 361-593-3705
- A&M-Kingsville Student Health and Wellness Department: 361-593-3991
- A&M-Kingsville Title IX Coordinator: 361-593-4758
- Family Violence and Sexual Assault Prevention Center of South Texas: 1-800-580-4878
- Protective Orders – Victim’s Assistance Coordinator, County Attorney Office: 361-595-8583
- Women’s Shelter: 361-516-0288

**In Cases of Dating Violence/Domestic Violence**

**Getting Help**
- Violence is never the victim’s fault.
- Know that you have legal choices. Call the University Police at 361-593-2611 or Title IX Coordinator 361-593-4758 for assistance or to learn about your choices.
- Trust your instincts and do not second-guess your feelings.
- Know that you are not alone. More than two million reports of dating/domestic violence occur every year.
- Ask a friend, family member, professor, or crisis center for help.
- If you are physically hurt, seek medical attention.
- Getting help is the best thing you can do for yourself and your health.

**Giving Help**
- Believe the person. He or she will need you to be supportive and understanding.
- Do not ask too much. The person may feel uncomfortable about involving others, and will open up when ready.
- Be supportive by listening or gathering information and resources.

**No-Contact Orders (issued by the University)**
No-Contact Orders issued by the University are designed so that students involved in a campus conduct process do not have any communication with each other to help minimize further altercations between those involved. Students who have no-contact orders are not to contact each other using ANY means. This includes, but is not limited to: comments, words, or gestures in person, through postal mail, email, social networking sites, or through others (friends, acquaintances, family members, etc.) acting on the student’s behalf. An order of no contact will remain in place until both parties agree, in writing, to cancel the order, pending final approval by the Office of the Dean of Students.

Code of Criminal Procedure- Protective Order
Code of Criminal Procedure, Art. 6.08. PROTECTIVE ORDER PROHIBITING OFFENSE CAUSED BY BIAS OR PREJUDICE.
(a) At any proceeding in which the defendant appears in constitutional county court, statutory county court, or district court that is related to an offense under Title 5, (Crimes Against Persons) Penal Code, or Arson, Criminal Mischief or Graffiti, Penal Code, in which it is alleged that the defendant committed the offense because of bias or prejudice as described by Article Family Violence, a person may request the court to render a protective order under Title 4, Family Code, for the protection of the person.
(b) The court shall render a protective order in the manner provided by Title 4, Family Code, if, in lieu of the finding that family violence occurred and is likely to occur in the future as required by Section Family Violence, Family Code, the court finds that probable cause exists to believe that an offense under Title 5, (Crimes Against Persons) Penal Code, or Arson, Criminal Mischief or Graffiti, Penal Code, occurred, that the defendant committed the offense because of bias or prejudice, and that the nature of the scheme or course of conduct engaged in by the defendant in the commission of the offense indicates that the defendant is likely to engage in the future in conduct prohibited by Title 5, Penal Code, or Arson, Criminal Mischief or Graffiti, Penal Code, and committed because of bias or prejudice.
(c) The procedure for the enforcement of a protective order under Title 4, (Protective Orders and Family Violence) Family Code, applies to the fullest extent practicable to the enforcement of a protective order under this article, including provisions relating to findings, contents, duration, warning, delivery, law enforcement duties, and modification, except that: (1) the printed statement on the warning must refer to the prosecution of subsequent offenses committed because of bias or prejudice; (2) the court shall require a constable to serve a protective order issued under this article; and (3) the clerk of the court shall forward a copy of a protective order issued under this article to the Department of Public Safety with a designation indicating that the order was issued to prevent offenses committed because of bias or prejudice.
(d) For an original or modified protective order rendered under this article, on receipt of the order from the clerk of the court, a law enforcement agency shall immediately, but not later than the 10th day after the date the order is received, enter the information required by Section 411.042(b)(6), Government Code, into the statewide law enforcement information system maintained by the Department of Public Safety.

Protective Orders (issued by the Courts) "Protective order" an injunction or other order, issued by a tribunal under the domestic violence or family violence laws or another law of the issuing state, to prevent an individual from engaging in violent or threatening acts against, harassing, contacting or communicating with, or being in physical proximity to another individual. Protective orders are court orders meant to protect victims who have experienced or are reasonably in fear of physical violence, sexual assault or stalking by another individual. If a court finds from the information contained in an application for a protective order that there is a clear and present danger of family violence, the court, without further notice to the individual alleged to have committed family violence and without a hearing, may enter a temporary ex parte order for the protection of the applicant or any other member of the family or household of the applicant.

In a protective order, the court may prohibit the person found to have committed family violence from: (1) committing family violence; (2) communicating: (A) directly with a person protected by an order or a member of the family or household of a person protected by an order, in a threatening or harassing manner; (B) a threat through any person to a person protected by an order or a member of the family or household of a person protected by an order; and (C) if the court finds good cause, in any manner with a person protected by an order or a member of the family or household of a
person protected by an order, except through the party's attorney or a person appointed by the court; (3) going to or near the residence or place of employment or business of a person protected by an order or a member of the family or household of a person protected by an order; (4) going to or near the residence, child-care facility, or school a child protected under the order normally attends or in which the child normally resides; (5) engaging in conduct directed specifically toward a person who is a person protected by an order or a member of the family or household of a person protected by an order, including following the person, that is reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass the person; (6) possessing a firearm, unless the person is a peace officer, actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision; and (7) harming, threatening, or interfering with the care, custody, or control of a pet, companion animal, or assistance animal, that is possessed by a person protected by an order or by a member of the family or household of a person protected by an order.

(c) In an order, the court shall specifically describe each prohibited location and the minimum distances from the location, if any, that the party must maintain. (d) In a protective order, the court shall suspend a license to carry a concealed handgun that is held by a person found to have committed family violence.

If you are a student or employee victim, please inform the Texas A&M University-Kingsville Police of any protection orders. Show these to the police officer, magistrate, prosecutor, or judge if he/she violates the order. Officers shall enforce protective orders from Texas and other states or possessions of the United States.

The Texas A&M University-Kingsville Police Department will explain and provide assistance in the process of obtaining protective orders. The university police department officers will provide victims of domestic violence with a "NOTICE TO ADULT VICTIMS OF FAMILY VIOLENCE" which states: "It is a crime for any person to cause you any physical injury or harm even if that person is a member or former member of your family or household. You may report family violence to a law enforcement officer by calling the following telephone numbers: 361-593-2611. "If you, your child, or any other household resident has been injured or if you feel you are going to be in danger after a law enforcement officer investigating family violence leaves your residence or at a later time, you have the right to: "Ask the local prosecutor to file a criminal complaint against the person committing family violence; and apply to a court for an order to protect you. You may want to consult with a legal aid office, a prosecuting attorney, or a private attorney.” A court can enter an order that: "(1) prohibits the abuser from committing further acts of violence; (2) Prohibits the abuser from threatening, harassing, or contacting you at home; (3) directs the abuser to leave your household; and (4) establishes temporary custody of the children or any property.” A VIOLATION OF CERTAIN PROVISIONS OF COURT-ORDERED PROTECTION MAY BE A FELONY.

If you feel that you qualify for or you would like to obtain a protective order which aims to protect the health or safety of any person regardless of a decision to arrest. Emergency Protective Orders are issued by a Justice of the Peace. In a protective order, the court may prohibit the person found to have committed family violence from: (1) committing family violence; (2) communicating: (A) directly with a person protected by an order or a member of the family or household of a person protected by an order, in a threatening or harassing manner; (B) a threat through any person to a person protected by an order or a member of the family or household of a person protected by an order, and (C) if the court finds good cause, in any manner with a person protected by an order or a member of the family or household of a person protected by an order, except through the party's attorney or a person appointed by the court; (3) going to or near the residence or place of employment or business of a person protected by an order or a member of the family or household of a person protected by an order; (4) going to or near the residence, child-care facility, or school a child protected under the order normally attends or in which the child normally resides; (5) engaging in conduct directed specifically toward a person who is a person protected by an order or a member of the family or household of a person protected by an order, including following the person, that is reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass the person; (6) possessing a firearm, unless the person is a peace officer, actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision; and (7) harming, threatening, or interfering with the care, custody, or control of a pet, companion animal, or assistance animal, that is possessed by a person protected by an order or by a member of the family or household of a person protected by an order. (c) In an
order, the court shall specifically describe each prohibited location and the minimum distances from the location, if any, that the party must maintain. (d) In a protective order, the court shall suspend a license to carry a concealed handgun that is held by a person found to have committed family violence.

The victim may also apply for an arrest warrant. If a warrant is issued, the alleged perpetrator will be arrested. An arrest warrant charges someone with committing a crime, usually assault.

**CALL THE FOLLOWING VIOLENCE SHELTERS OR SOCIAL ORGANIZATIONS IF YOU NEED PROTECTION**: Department of Family and Protective Services 361-516-0946 or Women’s Shelter of South Texas 361-516-0288/HOTLINE 800-580-4878 (HURT).

**Campus Resources for Dating Violence and Domestic Violence**
Along with criminal prosecution, University judicial action is an option that can be pursued in lieu of/or concurrent with legal prosecution. Judicial proceedings will provide a prompt, fair, and impartial investigation and resolution conducted by officials who receive annual training on issues related to domestic violence as well as dating violence, sexual assault and stalking. Equal access and opportunities for the accused and accuser, including to the appeal procedures and support of an advisor; simultaneously inform the parties in writing of the outcome and appeal process; institutional retaliation is prohibited. The accused has the right to a presumption of not being responsible for a violation until proven responsible as determined by a preponderance of the evidence present at the hearing. To begin a university judicial action, the counselor, police or victim should contact the Office of the Dean of Students at 361-593-3606.

The Texas A&M University-Kingsville Student Health and Wellness – Counseling Services, 361-593-3991, offers free and confidential assessments and counseling for academic, career, and personal issues to all enrolled Texas A&M University-Kingsville students. All counseling sessions are confidential to the full limits provided by the law; no information can be released within or outside the university without the client’s consent. There is no set limit or requirement to the number of sessions that one may attend. Student Health and Wellness offers support and counseling for individuals who have experienced violence. That support may be through individual counseling. Counseling is also available for enrolled university students who are friends and partners of people who have experienced this kind of violence.

Student Health and Wellness conducts workshops on healthy relationships. The department annually conducts sexual assault and gender violence prevention programs, including *Walk a Mile in Her Shoes* (Wearing women’s shoes while walking a mile on campus, Texas A&M University-Kingsville men help raise awareness about gender violence), *Take back the night* (Empowering each other to stand strong, illuminate the night and share stories to end sexual assault, domestic and gender violence). Contact Women’s Enrichment Program at 361-593-2382 for more information on the signature events.

**Community Resources for Dating Violence/Domestic Violence**
In addition to campus based resources there are community-based organizations that provide services to victims of domestic crime, such as:

**Local Kingsville Law Enforcement Resources:**

- **Kingsville Police Department**
  361-592-4311

- **Kleberg County Sheriff’s Office**
  361-595-8500

**County and National Social Service Organizations:**

- **Texas Department of Mental Health and Mental Retardation (MHMR) Coastal Plains**
  361-516-1067/361-592-6481/ 361-777-3991
  HOTLINE: 800-841-6467

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The University engages in 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, or 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.

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and employees that:

- Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- Defines using definitions provided both by the Department of Education as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
i. Defines what behavior and actions constitute consent to sexual activity in the State of Texas and/or using the definition of consent found in the Student Code of Conduct if state law does not define consent;

j. Provides a description of safe and positive options for bystander intervention. 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;

k. Information on risk reduction. 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.


The University has developed an annual educational campaign consisting of presentations that include distribution of educational materials to new students; participating in and presenting information and materials during new employee orientation;

Red flags in a relationship:

Do you...
- Feel afraid of your partner most of the time?
- Feel that you can’t do anything right?
- Get embarrassed by your partner’s behavior toward you?
- Believe that you deserve to be hurt or mistreated?
- Avoid topics or situations out of fear of angering your partner?

Does your partner...
- Humiliate, criticize or yell at you?
- Blame you for his behavior?
- Threaten to hurt you?
- Threaten to take your kids away?
- Threaten to harm your kids or pets?
- Force you to have sex?
- Act jealous and possessive?
- Keep you from seeing friends and family?
- Limit your access to money or necessities?
- Keep you from getting a job or going to school?
- Constantly check up on you?
- Threaten to kill or hurt himself if you leave?

Pay attention to the “red flags” and trust your instincts. Survivors of domestic violence frequently report that their instincts told them that there was something wrong early on but they disregarded the warning signs and didn’t know that these signs were indicative of an abusive relationship. Always take time to get to know a potential partner and watch for patterns of behavior in a variety of settings. Keeping in touch with your support system and participating in good self-care can lower your risk of being involved in an abusive relationship. The Texas A&M University-Kingsville Police Department along with the university community is committed to stopping domestic violence in our community by encouraging its community members to be a courageous bystander with safe and positive options for bystander interventions to prevent harm or intervene.

Bystander interventions:
- Speak up when you hear threatening language.
- Hold people accountable for their actions.
- Respectfully challenge comments that degrade women.

Stalking
Texas Code of Criminal Procedure
Art. 6.09. STALKING PROTECTIVE ORDER. (a) At any proceeding related to an offense under Stalking, Penal Code, in which the defendant appears before the court, a person may request the court to render a protective order under Title 4, Family Code, for the protection of the person. The request is made by filing "An Application for a Protective Order" in the same manner as an application for a protective order under Title 4, Family Code.

(b) The court shall render a protective order in the manner provided by Title 4, Family Code, if, in lieu of the finding that family violence occurred and is likely to occur in the future as required by Section 85.001, Family Code, the court finds that probable cause exists to believe that an offense under Stalking, Penal Code, occurred and that the nature of the scheme or course of conduct engaged in by the defendant in the commission of the offense indicates that the defendant is likely to engage in the future in conduct prohibited by the Stalking statute, Penal Code.

(c) The procedure for the enforcement of a protective order under Title 4, Family Code, applies to the fullest extent practicable to the enforcement of a protective order under this article, including provisions relating to findings, contents, duration, warning, delivery, law enforcement duties, and modification.

Stalking
Stalking is traumatic. You may experience nightmares, lose sleep, get depressed or feel like you’re no longer in control of your life.

Sec. 42.072. STALKING. (a) A person commits an offense if the person, on more than one occasion and pursuant to the same scheme or course of conduct that is directed specifically at another person, knowingly engages in conduct that:

1. constitutes an offense under Section 42.07, or that the actor knows or reasonably should know the other person will regard as threatening:
   (A) bodily injury or death for the other person;
   (B) bodily injury or death for a member of the other person's family or household or for an individual with whom the other person has a dating relationship; or
   (C) that an offense will be committed against the other person's property;

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

3. would cause a reasonable person to:
   (A) fear bodily injury or death for himself or herself;
   (B) fear bodily injury or death for a member of the person's family or household or for an individual with whom the person has a dating relationship;
   (C) fear that an offense will be committed against the person's property; or
   (D) feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended.

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

1. the laws of another state;
2. the laws of a federally recognized Indian tribe;
3. the laws of a territory of the United States; or
4. federal law.

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

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

**Protective Orders- Stalking**
A stalking victim or a prosecuting attorney acting on behalf of the person may file an application for a protective order without regard to the relationship between the applicant and the alleged offender. If the court finds from the information contained in an application for a protective order that there is a clear and present danger of sexual assault, stalking, or other harm to the applicant, the court, without further notice to the alleged offender and without a hearing, may enter a temporary ex parte order for the protection of the applicant or any other member of the applicant's family or household.

**Stalking Behavior**
Stalking behaviors can include:
- Showing up at your home or place of work
- Unannounced or uninvited.
- Sending you unwanted text messages, letters, emails and voicemails.
- Leaving unwanted items, gifts or flowers.
- Constantly calling you and hanging up.
- Use social networking sites/technology to track you.
- Spreading rumors about you via the internet or word of mouth.
- Making unwanted phone calls to you.
- Calling your employer or professor.
- Waiting at places you hang out.
- Damaging your home, car or other property.
Safe Practices

- Under no circumstances should you agree to meet with the perpetrator face to face to “work it out” or “talk.” Meeting a stalker in person can be very dangerous.
- Tell someone. Resources like University Police Department, Student Health and Wellness, Title IX Coordinator are here to support and assist you. Victims under the age of 18 should tell a parent or other trusted adult about any harassments or threats.
- Send one, clear written warning. This warning should convey that the contact is unwanted, and tell the perpetrator to cease all communications of any kind. Do this only once. Then, no matter the response, under no circumstances have further contact with the stalker.
- Collect and document all evidence. Save all email, postings, or other communications in both electronic and hard-copy form. If possible, save all of the header information from emails and newsgroup postings (use the Help feature on whatever service you are using for instructions). Record the dates and times of any contact with the stalker. All evidence of stalking should be preserved to aid in obtaining a protection order against a perpetrator.
- Keep a detailed log of stalking behavior. Start a log detailing each communication:
  - date,
  - time,
  - type of incident,
  - witnesses, etc.
- You may also want to document how the stalking is affecting you and any steps you have taken to stop it (e.g., blocked number, unfriended on Facebook, asked the stalker to stop). A free Stalking Log is available at: https://www.victimsofcrime.org/docs/src/stalking-incident-log_pdf.pdf?sfvrsn=4
- File a report with the University Police or local law enforcement. Save copies of police reports and record all contact with law enforcement officials and the prosecutor’s office. Add these notes to your Stalking Log.
- Change your contact information. You may want to consider changing your email address, Internet Service Provider (ISPs), and/or phone number, and consider using encryption software or privacy protection programs.
- File a complaint with both parties’ ISPs. Many ISPs offer tools that filter or block communications from specific individuals.

If you become a victim of stalking

Anyone can become a victim of stalking. The following are suggestions as to what you can do if someone is stalking you:

- Keeps a log of incidents including the date, time, what happened, and the names of any witnesses. Even if you decide not to pursue prosecution, you may change your mind and it will be helpful to have documentation of every incident.
- If you have a protection order, make several copies, and carry a copy with you at all times.
- Save any packages, letters, messages, or gifts from the stalker. They may be important if you decide to report to the police.
- To keep your address confidential, get a post office box and use it on all correspondence. Put this address on your checks. (If you are being sent something from Federal Express or another company that won't mail to P.O. Boxes, change "P.O. Box" to "Apartment" when giving your address).
- Use an answering machine to screen calls. Save all voicemail messages from the stalker, or record them to a tape recorder and save the digital recording or tapes.
- You can have your phone reject calls from anonymous or unknown callers by contacting your local telephone service provider.
- Acquaint yourself with 24-hour stores and other public, highly populated areas in your neighborhood.
- If someone is following you, never go home.
- Inform security at your place of employment that you are being stalked.
• Inform friends, family, neighbors, and other people you know that you are being stalked so that the stalker cannot get information about you from them.
• If you have a picture of your stalker, give one to people you know at the places you frequent.

**If you are in immediate danger, go to a safe place. Contact a friend or family member for support if possible.**

**Bystander Intervention**

Bystander intervention can be as simple as calling the police if you witness a serious situation in progress. If you feel you are being stalked and want to report it as a crime; you should immediately call the call the Texas A&M University-Kingsville Police if the incident occurred on campus at 361-593-2611; if the incident happened in the City of Kingsville call the Emergency 911, or Business 361-592-4311 for assistance. If the incident happened outside of Kingsville, report the incident to local law enforcement or other appropriate campus officials.

**Law Enforcement Response to Stalking**

The responding officer’s primary responsibility will be the victim’s physical well-being and emergency medical needs followed by an investigation to include obtaining preliminary statements, preserving evidence, and documentation with possible arrest. As with any crime, it is important to preserve evidence. Physical and evidentiary articles that substantiate the crime such as text messages, voicemails, videos, letters, photos, cards, unwanted items or gifts and emails should be saved. You should also write down the times, places and dates all the incidents occurred. You should include the names and contact information of people who witnessed what happened and provide this information to the police. Protective orders are meant to protect victims who have experienced or are reasonably in fear of physical violence, sexual assault or stalking by another individual. The Texas A&M University-Kingsville Police Department will provide assistance in the process of obtaining protective orders. Victims have the option of keeping their report of stalking in complete confidence, protecting their right to anonymity, when making a report through the Texas A&M University-Kingsville Health and Wellness, 361-593-3606. Only the victim can make this decision. It may be difficult to make complex decisions immediately after the assault. Talking with someone who can give immediate support and information, such as a sexual assault crisis counselor, a victim/witness advocate, or a family member or friend, may help you make a decision.

**Crime Victim Information**

**Reporting with Intent to Press Criminal Charges**

When a victim decides to report the crime to police and to file criminal charges, they need to be aware of the steps involved:

• initial law enforcement officer’s interview
• medical examination
• investigator’s interview
• prosecutor’s interview
• court procedures

This may all seem overwhelming. An understanding of the benefits of reporting encourages many victims to choose to press criminal charges, resulting in the convictions of more defendants. Contact the University Police Department at 361-593-2611.

**Option Not to Report**

Not all victims want to report crimes to a law enforcement agency. This is an individual decision. Without an official report, however, the law enforcement agency will not know that a sexual assault has occurred. Law enforcement agencies can only help the community when they are aware of crimes being committed. If the assailant was a stranger,
the prospect of identifying the suspect greatly decreases over time, and crucial physical evidence will be lost as well. Even if you choose not to report, it is important for your own well-being that you receive medical attention immediately after the assault. Contact Student Health and Wellness 361-593-3991 or Title IX Coordinator at 361-593-4758.

Your Rights as a Crime Victim
Texas Code of Criminal Procedure, Crime Victim’ Rights, Article 56.02, provides that a victim, guardian of a victim are entitled to the following rights:
(1) the right to receive from law enforcement agencies adequate protection from harm and threats of harm arising from cooperation with prosecution efforts;
(2) the right to have the magistrate take the safety of the victim or his family into consideration as an element in fixing the amount of bail for the accused;
(3) the right, if requested, to be informed:
   (A) by the attorney representing the state of relevant court proceedings, including appellate proceedings, and to be informed if those proceedings have been canceled or rescheduled prior to the event; and
   (B) by an appellate court of decisions of the court, after the decisions are entered but before the decisions are made public;
(4) the right to be informed, when requested, by a peace officer concerning the defendant’s right to bail and the procedures in criminal investigations and by the district attorney’s office concerning the general procedures in the criminal justice system, including general procedures in guilty plea negotiations and arrangements, restitution, and the appeals and parole process;
(5) the right to provide pertinent information to a probation department conducting a presentencing investigation concerning the impact of the offense on the victim and his family by testimony, written statement, or any other manner prior to any sentencing of the offender;
(6) the right to receive information regarding compensation to victims of crime as provided by Subchapter B, including information related to the costs that may be compensated under that subchapter and the amount of compensation, eligibility for compensation, and procedures for application for compensation under that subchapter, the payment for a medical examination under Article 56.06 for a victim of a sexual assault, and when requested, to referral to available social service agencies that may offer additional assistance;
(7) the right to be informed, upon request, of parole procedures, to participate in the parole process, to be notified, if requested, of parole proceedings concerning a defendant in the victim’s case, to provide to the Board of Pardons and Paroles for inclusion in the defendant’s file information to be considered by the board prior to the parole of any defendant convicted of any crime subject to this subchapter, and to be notified, if requested, of the defendant’s release;
(8) the right to be provided with a waiting area, separate or secure from other witnesses, including the offender and relatives of the offender, before testifying in any proceeding concerning the offender; if a separate waiting area is not available, other safeguards should be taken to minimize the victim’s contact with the offender and the offender’s relatives and witnesses, before and during court proceedings;
(9) the right to prompt return of any property of the victim that is held by a law enforcement agency or the attorney for the state as evidence when the property is no longer required for that purpose;
(10) the right to have the attorney for the state notify the employer of the victim, if requested, of the necessity of the victim's cooperation and testimony in a proceeding that may necessitate the absence of the victim from work for good cause;
(11) the right to counseling, on request, regarding acquired immune deficiency syndrome (AIDS) and human immunodeficiency virus (HIV) infection and testing for acquired immune deficiency syndrome (AIDS), human immunodeficiency virus (HIV) infection, antibodies to HIV, or infection with any other probable causative agent of AIDS, if the offense is an offense under Section 21.02, 21.11(a)(1), 22.011, or 22.021, Penal Code;
(12) the right to request victim-offender mediation coordinated by the victim services division of the Texas Department of Criminal Justice;
(13) the right to be informed of the uses of a victim impact statement and the statement’s purpose in the criminal justice system, to complete the victim impact statement, and to have the victim impact statement considered:
(A) by the attorney representing the state and the judge before sentencing or before a plea bargain agreement is accepted; and
(B) by the Board of Pardons and Paroles before an inmate is released on parole;

(14) to the extent provided by Articles 56.06 and 56.065, for a victim of a sexual assault, the right to a forensic medical examination if, within 96 hours of the sexual assault, the assault is reported to a law enforcement agency or a forensic medical examination is otherwise conducted at a health care facility;

(15) for a victim of an assault or sexual assault who is younger than 17 years of age or whose case involves family violence, as defined by Section 71.004, Family Code, the right to have the court consider the impact on the victim of a continuance requested by the defendant; if requested by the attorney representing the state or by counsel for the defendant, the court shall state on the record the reason for granting or denying the continuance; and

(16) if the offense is a capital felony, the right to:

(A) receive by mail from the court a written explanation of defense-initiated victim outreach if the court has authorized expenditures for a defense-initiated victim outreach specialist;

(B) not be contacted by the victim outreach specialist unless the victim, guardian, or relative has consented to the contact by providing a written notice to the court; and

(C) designate a victim service provider to receive all communications from a victim outreach specialist acting on behalf of any person.

Compensation for Victims of Crime

The State of Texas, Code of Criminal Procedure, Article 56.31, recognizes that many innocent individuals suffer personal injury or death as a result of criminal acts. Crime victims and persons who intervene to prevent criminal acts often suffer disabilities, incur financial burdens, or become dependent on public assistance. There is a need for the compensation of victims of crime and those who suffer personal injury or death in the prevention of crime or in the apprehension of criminals. The intent of the law is that the compensation of innocent victims of violent crime encourage greater public cooperation in the successful apprehension and prosecution of criminals.

If you are the victim of a crime in Texas; physically/emotionally injured during the crime; injured trying to stop a crime; injured trying to catch a person who committed a crime; or are the surviving spouse, parent, grandparent, sibling, or child of a victim who was killed, then you may be awarded benefits up to a maximum award of $15,000 for certain unreimbursed losses, such as wages, medical expenses, mental health counseling expenses, funeral/burial expenses up to $3,500, moving expenses up to $1,000, crime scene clean-up expenses, pregnancy expenses resulting from sexual assault, and other reasonable/necessary expenses incurred as a result of the crime (e.g., prescriptions). In order to be eligible to apply you must:

1. Report the crime to a law enforcement agency within a reasonable period of time, but not so late as to interfere with or hamper the investigation and prosecution of the crime.
2. File the application within three years of the date of the crime.
3. Be a United States resident with the crime occurring in Texas or a Texas resident who becomes a victim in a state or country without a compensation program; United States citizenship not required, claim within 1 year from the date of the crime (or show good cause for not doing so).

A victim of child sexual assault has 10 years past the date of their 18th birthday to file a claim. For more information or an application, contact the Kleberg County District Attorney’s Office at 361-595-8544, 700 E. Kleberg Avenue, Kingsville, Texas; the Crime Victims’ Compensation Program in the Office of the Attorney General by calling 1-800-983-9933 or visit their website at http://www.oag.state.tx.us/victims/cvc.shtml.

Sex Offender Registration

The Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. In accordance with this act, the University Police
Department is providing a link to the Texas Department of Public Safety site for registered sex offenders which can be found at the following Department of Public Safety link: [https://records.txdps.state.tx.us/soSearch/default.cfm](https://records.txdps.state.tx.us/soSearch/default.cfm).

Registered Sexual Offender Information: In compliance with State and Federal law, information to registered sex offenders in Texas may be obtained through the Texas A&M University-Kingsville Police Department website or searched at the Texas Department of Public Safety Sex Offender Database website: [https://records.txdps.state.tx.us/SexOffender/](https://records.txdps.state.tx.us/SexOffender/).


Once in PublicData.com click on link "Click here for FREE SexOffender searches" [http://www.criminalcheck.com](http://www.criminalcheck.com/). If you cannot access into PublicData.com, click on the “Refresh” icon in the tool bar.

**Student Discipline/Student Code of Conduct**

Students may be placed on probation with appropriate disciplinary sanctions, suspended or expelled, for committing violent or criminal acts on campus or at campus-related events. In compliance with federal and state laws and regulations, victims of violent crimes, including sexual assaults, will be informed whenever information regarding disciplinary action taken by the university is included in a student file. Both parties are notified simultaneously in writing of the disciplinary outcome and may appeal the outcome. The appeal must be made in writing to the Senior Vice President for Fiscal and Student Affairs (SVPFSA) or designee within three business days after notification of the initial decision. The SVPFSA may handle the appeal or designate an Appeals Officer/Body at his or her discretion. Appeal requests will be reviewed for merit and if filed in a timely manner. The victim is required to keep the results of the disciplinary action and appeal confidential. For further information, contact the Dean of Students (361-593-3606).

**Disciplinary Sanctions**

The following sanctions may be imposed upon any student or organization found to have violated the Student Code of Conduct. The student or organization may be levied a sanction or combination of sanctions. Record of the student or organization’s disciplinary status and the results of disciplinary proceedings are a part of the student’s confidential records for a period of seven years. As part of the notification of disciplinary action undertaken, the student or organization will be notified in writing of the sanctions imposed, their duration, stipulations and deadlines for completion.

Pending final action on a disciplinary charge or appeal, the student’s status should not be altered nor should his/her right to be present on the campus or his/her privilege to attend classes be suspended except for the following: 1) when the university has imposed immediate suspension action; 2) when a “disciplinary hold” is placed on the student’s academic and/or financial records pending the outcome of disciplinary proceedings or to enforce a disciplinary sanction; or 3) to assist with maintaining order on campus in incidents involving serious cases of class /facility disruptions or threat of violence whereby student(s) involved may be restricted from certain areas or other accommodations made to minimize the opportunity for verbal/physical conflict or retaliation. Once a student or organization has been finally assessed a disciplinary sanction and the appeals process is complete, no more severe major sanctions may be assessed against the student or organization by any higher university authority for the infraction in question except in instances where the student or organization does not comply with the initial sanctions that have been imposed.

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

1. **Warning**: A notice in writing to the student/organization that the student /organization is violating or has violated institutional regulations and that the continuation of such conduct or actions could result in further disciplinary action.
2. Probation a written reprimand for violation of specified regulations. Probation is for a designated period of type and includes the probability of more severe disciplinary sanctions if found to violate any institutional regulations or failure to comply with the sanctions imposed by the hearing body.

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

4. Fines: Previously established and published fines may be imposed.

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

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

7. Residence Hall Suspension: Separation of the student from university housing for a definite period of time after which the student is eligible to return. Conditions for readmission may be specified. A student has 36 hours upon notification to vacate the premises (except in the case of an interim suspension where the student may be asked to immediately vacate the premises). The student will forfeit the housing deposit and is liable for the prorated rent amount for the period the student resided in the halls as stipulated in the housing agreement. The student may not enter or visit university housing during this period.

8. Residence Hall Expulsion: Permanent separation of the student from the residence halls. A student has 36 hours upon notification to vacate the premises (except in the case of an interim suspension where the student may be asked to immediately vacate the premises). The student will forfeit the housing deposit and is liable for the prorated rent amount for the period the student resided in the halls as stipulated in the housing agreement. The student may not enter or visit university housing during this period.

9. University Suspension: Separation of the student from the University for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified. The student is not entitled to a refund of tuition and/or fees for the term in which the student is suspended. Immediate Interim Suspension – Separation from the university without first receiving notice or a hearing for a period up to 10 calendar days. This sanction may be imposed by the President or designee if he/she determines the student poses a continuing danger to persons or property, or the student’s behavior is an ongoing threat of disrupting the academic process. The student is not entitled to a refund of tuition and/or fees for the term in which the student is on interim suspension.

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

11. Revocation of Admission and/or Degree: Admission to or a degree awarded from the University may be revoked for fraud, misrepresentation, or other violation of University standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.

12. Withholding Degree: The University may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Code of Conduct, including the completion of all sanctions imposed, if any.

Right of Due Process

A student or student organization alleged to have engaged in misconduct shall have the right of due process and appeal as delineated in this code. Students may opt to have only an informational hearing with the original hearing officer and waive their rights to a formal hearing with the University Disciplinary Committee or other hearing officer/board. Except in the case of the immediate interim suspension of a student for exigent circumstances and adjudication of Sexual Misconduct Policy allegations which are detailed on the Dean of Students website (www.tamuk.edu/dean), these rights include:

1. A written copy of the charge(s). Notification must be at least three business days before any hearing may proceed.
2. A fair and impartial hearing.
3. Reasonable access to review the case file, which shall be maintained by the university official adjudicating the matter (i.e., hearing officer/College Dean /Dean of Students).
4. Present evidence and witnesses in his/her behalf.
5. Be accompanied at a hearing by an advisor of his/her choice. The advisor cannot actively participate in the hearing or ask questions of the witnesses or the hearing body. The advisor’s role is to advise the student and observe the proceedings.
6. Be present at the hearing during the presentation of any evidence or material on which the decision will be made. If the student fails to attend the scheduled hearing, the hearing will be held in the student’s absence.
7. Request a recording of the hearing in advance at his or her expense.
8. Refuse to answer any question or to make a statement without inference of guilt. However, the hearing officer/body will make a decision on the basis of evidence available at the time of the hearing.
9. Ask questions of anyone presenting oral testimony during a hearing relating to the incident. See specific information regarding oral testimony in a hearing related to cases of sexual misconduct cases (i.e. sexual harassment, sexual assault, sexual violence cases, etc.) on the Dean of Students website (www.tamuk.edu/dean).
10. Right to a written notice on the findings of the investigation and/or hearing, an explanation of the decision, any sanctions assessed, if applicable and the next level of appeal.
11. Right to appeal the decision through the appropriate panel or administrative officer within three business days of notification of the decision.

Sexual Misconduct Adjudication Procedures
Judicial proceedings will provide a prompt, fair, and impartial investigation and resolution conducted by officials who receive annual training on issues related to domestic violence as well as dating violence, sexual assault and stalking. The accused has the right to a presumption of not being responsible for a violation until proven responsible as determined by a preponderance of the evidence present at the hearing. To begin a university judicial action, the counselor, police or victim should contact the Office of the Dean of Students at 361-593-3606.

Due Process Rights in Sexual Misconduct Adjudication Processes
A student or student organization alleged to have engaged in misconduct shall have the right of due process and appeal as delineated in this code. Students may opt to have only an informational hearing with the original hearing officer and waive their rights to a formal hearing with the University Disciplinary Committee or other hearing officer/board. Except in the case of the immediate interim suspension of a student for exigent circumstances, these rights include:
1. A written copy of the charge(s). Notification must be at least three business days before any hearing may proceed.
2. A fair and impartial hearing.
3. Reasonable access to review the case file, which shall be maintained by the university official adjudicating the matter (i.e., hearing officer/College Dean /Dean of Students).
4. Present evidence and witnesses in his/her behalf.
5. Be accompanied at a hearing by an advisor of his/her choice. The advisor cannot actively participate in the hearing or ask questions of the witnesses or the hearing body. The advisor’s role is to advise the student and observe the proceedings. An attorney cannot serve as an advisor.
6. Be present at the hearing during the presentation of any evidence or material on which the decision will be made. If the student fails to attend the scheduled hearing, the hearing will be held in the student’s absence.
7. Request a recording of the hearing in advance at his or her expense.
8. Refuse to answer any question or to make a statement without inference of guilt. However, the hearing officer/body will make a decision on the basis of evidence available at the time of the hearing.
9. Ask questions of anyone presenting oral testimony during a hearing relating to the incident with the exception of sexual harassment and sexual assault cases.
10. Right to a written notice on the findings of the investigation and/or hearing, an explanation of the decision, any sanctions assessed, if applicable and the next level of appeal.
11. Right to appeal the decision through the appropriate panel or administrative officer within three business days of notification of the decision.
Sexual Misconduct Policy

SEXUAL MISCONDUCT (INCLUDING SEXUAL ASSAULT, SEXUAL HARASSMENT, DOMESTIC VIOLENCE, DATING VIOLENCE AND STALKING): Refer to the Student Code of Conduct section regarding sexual misconduct/sexual harassment for details regarding reporting, response, and hearing procedures.

Texas A&M University - Kingsville is committed to creating and maintaining an educational environment free from all forms of sex discrimination, including sexual misconduct. Any action involving sexual harassment, violence, coercion, and intimidation will not be tolerated. Specifically, Texas A&M University - Kingsville strictly prohibits the offenses of domestic violence, dating violence, sexual assault and stalking. These acts have a real impact on the lives of victims. They not only violate a person’s feelings of trust and safety, but they can also substantially interfere with a student’s education.

It is the policy of Texas A&M University - Kingsville that, upon learning that an act of sexual misconduct has taken place, immediate action will be taken to address the situation and hold the accused student accountable. This includes working with state and local law enforcement to bring possible criminal charges and seeking disciplinary action through the university. Texas A&M University - Kingsville encourages the reporting of sexual misconduct that is prompt and accurate. This allows the university community to quickly respond to allegations and offer immediate support to the victim.

Texas A&M University - Kingsville is committed to protecting the privacy of victims, and will work closely with students who wish to obtain confidential assistance regarding an incident of sexual misconduct. The university cannot guarantee complete confidentiality, but it will do everything possible to maintain privacy, and will only share information as needed to address the issue. Licensed professional counselors at Student Health and Wellness are the only individuals who can guarantee confidentiality to a reporter or victim. If you request confidentiality or that the complaint not be pursued, the university may be limited in its ability to respond. Additionally, the university will maintain all related records in accordance with the requirements of FERPA (the Family Educational Rights and Privacy Act of 1974), and will be accomplished without the inclusion of identifying information about the victim, to the extent permissible by law.

Both parties are entitled to a fair and equitable process, and the accused is entitled to due process.

It is the collective responsibility of all members of the Texas A&M University - Kingsville community to foster a safe and secure campus environment. In an effort to promote this environment and prevent acts of sexual misconduct from occurring, the university engages in ongoing prevention and awareness education programs. All incoming students and employees are required to participate in these programs, and all members of the university community are encouraged to participate throughout the year in ongoing campaigns and trainings focused on the prevention of sexual misconduct on campus.

Reporting

In processing reports of sexual misconduct involving students, Texas A&M University - Kingsville follows The Texas A&M University System Policy 08.01, Civil Rights Protections and Compliance and corresponding Regulation 08.01.01, Civil Rights Compliance (http://policies.tamus.edu/08-01-01.pdf). You may also refer to the website for the Texas A&M University - Kingsville Office of Compliance for more information: http://www.tamuk.edu/compliance/index.html

Sexual harassment, sexual assaults, domestic violence, dating violence and stalking should be reported to the Title IX Coordinator, located in the Compliance Office, Lewis Hall 130 or by calling (361) 593-4758. The Title IX Coordinator will work closely with other offices as appropriate. As a matter of Texas A&M University System policy, all faculty and staff who have knowledge of a Title IX related issue must report the issues to the Office of Compliance. The University will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services available for victims, both within the
University and in the community. The University will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations. The University will make such accommodations if the victim requests them and if they are reasonably available.

Individuals reporting issues of sexual misconduct/sexual harassment will meet with Title IX coordinator, Dean of Students Office, and/or law enforcement (if a criminal report is being made, which is your choice, but is always encouraged). Regardless of whether a victim elects to make a complaint to law enforcement, the University will assist victims of sexual assault, dating violence, domestic violence, and/or stalking. When a student or employee reports to the institution that they have been a victim of sexual assault, dating violence, domestic violence, or stalking, whether the offense occurred on or off campus, the University will provide the student or employee a written explanation of their rights and options.

You will be provided written notification about available resources including counseling, physical and mental health assistance, victim advocacy, and other services available. A student who has been the victim of sexual misconduct may request an academic accommodation or change in residence after a report of sexual misconduct. When reasonable and appropriate, the University will provide accommodations to involved parties upon request. Possible requests include the ability to change academic schedules or work schedules, withdraw from or retake a class without penalty, access academic support such as tutoring services, transportation and change residence hall assignments. The University will maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures. Additional interim measures that may be taken to protect an individual pending the outcome of an investigation/hearing may include contact restrictions, interim suspension of the accused (not to exceed 10 days), or change in course schedule, residence assignment of the accused, and/or other restrictions.

**Sexual Harassment**

It is the policy of Texas A&M University-Kingsville, that the sexual harassment of students, employees and users of university facilities is unacceptable and prohibited. This stance is consistent with the university's efforts to maintain equal employment opportunity, equal educational opportunity, non-discrimination in program services, use of facilities, and the affirmative action program. The Compliance Office publishes a policy that gives detailed information about sexual harassment. These are available in the Compliance Office and other offices across campus.

Sexual harassment is the introduction of unwanted sexual activities or comments into the work or learning situation. Oftentimes, sexual harassment involves relationships of unequal power and contains elements of coercion—as when compliance with requests for sexual favors becomes a criterion for granting work, study, or grading benefits. However, sexual harassment may also involve relationships among equals, as when repeated sexual advances or demeaning verbal behavior have a harmful effect on a person's ability to study or work.

For general policy purposes, sexual harassment may be described as sexual advances, requests for sexual favors, and other physical conduct and expressive behavior of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education; (2) submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual; or (3) such conduct has the purpose or effect of interfering with an individual's academic or professional performance or creating an intimidating, hostile or demeaning employment or educational environment.

In keeping with this policy, Texas A&M University-Kingsville is undertaking an education and prevention plan of action to protect employees, students, and users of university facilities from sexual harassment and to rid the university of such conduct.
Anyone subjected to suspected sexual harassment should contact the Compliance Office at Texas A&M University-Kingsville. Contacts are confidential. Sexual harassment grievances will be handled according to the procedure summarized below.

Complaint Procedures
For students, formal complaint procedures can be found in the current Texas A&M University-Kingsville Student Handbook which is found on-line at [http://www.tamuk.edu/dean/dean_files/studenthandbook.pdf](http://www.tamuk.edu/dean/dean_files/studenthandbook.pdf). Informal complaints or concerns can be made verbally or in writing with individual offices on campus.

Confidentiality
The university will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence, stalking, or sexual exploitation to the fullest extent possible or required by law. However, when accessing university resources, individuals should be aware of the university’s confidentiality and mandatory reporting obligation in order to make informed choices. Some on-campus resources offer confidentiality, sharing options, and advice without an obligation to disclose identifying information unless the complainant wants them to or when state or federal law requires mandatory reporting. Confidentiality is limited to staff in Student Health and Wellness Department. In addition, complainants may speak on- or off-campus with members of the clergy and chaplains who will keep reports made to them confidential.

Any information provided anonymously or formally will be used in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act for data collection.

Institutional Disciplinary Action in Cases of Alleged Dating Violence, Domestic Violence, Sexual Assault, Stalking or Sexual Harassment and Misconduct Involving University Employees
Texas A&M University-Kingsville Statement of Policy and Intent represents our commitment to equal employment and educational opportunity. In conformance with federal and state law and university policy we are guided by the principle that there shall be no difference in the treatment of individuals because of race, color, religion, national origin, sex, age, disability, veteran status. Equal opportunity and access to programs shall be available to all members of the university community, both students and employed personnel at every level, and to all units, facilities, and services of the university.

In the employment of all personnel, the university recognizes that, as a public agency, it has a further commitment: it is obligated to support federal and state policies which seek to achieve equal opportunity in employment for members of underrepresented groups, women, individuals with disabilities, and Vietnam era and disabled veterans. As used in this document, underrepresented groups will include African-American, Hispanic, Asian, Hawaiian/Pacific Islander, American Indian/Alaskan Native. Two important concepts are embodied in equal employment opportunity:

3. Nondiscrimination
4. Affirmative Action

Affirmative action requires more than employment neutrality. It requires Texas A&M University-Kingsville to make efforts to recruit, employ, retain, and promote qualified women, members of underrepresented groups, individuals with disabilities, and Vietnam era and disabled veterans. The affirmative action concept requires positive action to insure against perpetuation of benign neutrality in employment practices.

Complaint Process
Any employee or student who experiences, observes or becomes aware of illegal discrimination, sexual harassment and/or related retaliation should promptly report the incident(s) to his or her supervisor or a member official, administrator or other designee identified in the member’s applicable rule. A third party (including, but not limited to,
anyone receiving services from the member, vendors and private business associates) should promptly report the incident(s) involving an employee or student to the member’s human resources office or other office designated to receive such complaints.

An employee or student is not required to report illegal discrimination, sexual harassment and/or related retaliation to a direct supervisor or to the alleged offender. The alleged offense may instead be reported to another member official, administrator, supervisor or other designee identified in the member’s applicable rule.

An employee’s or student’s complaint or appeal alleging illegal discrimination, sexual harassment and/or related retaliation in connection with discipline and/or dismissal should be filed within 10 business days of the action that caused the complaint or it may be deemed untimely filed and dismissed. An employee’s or student’s complaint or appeal alleging illegal discrimination, sexual harassment and/or related retaliation unrelated to discipline and/or dismissal should be filed within 90 calendar days of the most recent incident or it may be deemed untimely filed and dismissed.

Any complaints, appeals or reports of illegal discrimination, sexual harassment, and/or related retaliation shall be reported to System Ethics and Compliance Office (SECO) upon receipt by the designated member office.

The filing of an illegal discrimination, sexual harassment and/or related retaliation complaint will not stop, delay or affect pending personnel actions. This includes, but is not limited to, performance evaluations or disciplinary actions related to a reporter who is not performing at acceptable levels or standards or who has violated system policies, regulations or member rules.

Investigations
The individual(s) or office(s) designated by the member to receive complaints, appeals and/or reports of illegal discrimination, sexual harassment, and/or related retaliation will review each one to determine if there is sufficient information to proceed with an investigation or if additional information is needed. If the information is sufficient, the individual or office will forward the complaint, appeal or report to an appointed investigative authority within five business days of receipt. If the information is insufficient, that individual or office, in consultation with OGC, may conduct an inquiry into the circumstances of the complaint/report/appeal and (a) dismiss it as untimely filed, baseless, or not a violation of civil rights policy; (b) close it for insufficient information to investigate; or (c) refer it to the office(s) which handles complaints or appeals not related to civil rights.

At any point in the process, the respondent (Faculty or staff) may be suspended with pay, reassigned, and/or placed in another type of temporary status pending completion of the investigation and final resolution of the allegations.

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

Both the individual subjected to the alleged illegal discrimination, sexual harassment and/or related retaliation and the respondent must receive equitable treatment in all facets of the complaint and investigation process, including but not limited to the right to representation (if any), the right to present evidence and witnesses, and the right to be informed of the outcome of the investigation.

Timeline for Investigative Process
The investigative authority will review each report, complaint and/or appeal, interview witnesses (if applicable), review
relevant documentation, and provide a draft report on the merits of the allegations to OGC for legal sufficiency review within 30 business days of receipt of the complaint. OGC will provide its legal review to the investigative authority within 10 business days. The investigative authority will have five business days to finalize the report and submit it to the designated administrator. Circumstances may warrant extensions to the time frames in this section.

Investigation reports should include a statement of the allegation(s), a listing of individuals interviewed including the dates of the interviews, and a listing of relevant documents attached to the report. Reports should not contain speculation, opinions or recommendations for sanctions. However, investigators may provide assessments of the credibility of the parties and any witnesses.

For faculty, staff and third-party cases, investigation reports may conclude that each allegation is substantiated, unsubstantiated, or there is insufficient evidence to determine whether or not the allegation is substantiated. In student conduct cases, the investigation report shall be used as directed in the university’s student conduct rules.

**Standard of Evidence**
In all investigations and subsequent decisions, the standard used to determine the merits of the allegation(s) is the preponderance of the evidence; i.e., more likely than not.

**Sanctions**
Sanctions may have educational, restorative and rehabilitative components for faculty, staff and students. In addition, faculty and staff sanctions may have punitive components. Examples of sanctions may include, but are not limited to:
- written warning or reprimand,
- required training and/or counseling,
- “no contact” order,
- probation for a definite or indefinite period,
- suspension for a definite or indefinite period, and
- employment termination and/or expulsion from an educational institution.

For students, expulsion is a disciplinary action taken to teach a student that their actions and behaviors have consequences, which includes ineligibility to continue as a member of the educational community.

Both the individual subjected to the alleged illegal discrimination, sexual harassment and/or related retaliation and the respondent may be informed in writing of any and all sanctions, except when to do so would violate state or federal law (e.g., Family Educational Rights and Privacy Act).

**Missing Student Notification**
In the event that a member of the campus community has reason to believe that a Texas A&M University-Kingsville student, residing on-campus, is missing, he or she shall immediately notify the University Police Department (UPD) at 361-593-2611. UPD will generate a missing person report and initiate an investigation. In addition, UPD will report the missing person to University Housing & Residence Life. If the student is residing off campus, UPD will assist in contacting the appropriate law enforcement agency. Regardless of whether the student has identified a contact person, is above the age of 18, or is in an emancipated minor, informing the local law enforcement agency that has jurisdiction in the area that the student is missing within 24 hours.

If the investigation determines that the student has been missing over 24 hours then within the next 24 hours, the university will:
- Notify the individual identified as the student’s emergency contact person;
- If under 18 years of age and not emancipated, the university will notify a parent or guardian; and;
- Notify surrounding law enforcement agencies
Contacting Family Members
Individuals identified by the student, and/or the parent(s) if the student is under 18 years of age, will be contacted by UPD, Housing or the DOS Office within 24 hours of the initial report to the UPD/CSA.

In situations in which the student has failed to designate a contact for missing student notification, UPD will use University records and resources to continue its investigation. Family members, including those not formally identified by the student, may be contacted during the course of the investigation to resolve a report of a missing student.

Emergency Contact Registration
The university will request of all new students each year that they provide, on a voluntary basis, emergency contact information in the event that the student would be reported missing while at the institution. Students identify a contact on the Student Health Information Form provided during housing check-in. This information is confidential and will be provided to authorized campus officials and law enforcement in furtherance of their missing person investigation. Students who wish to identify a confidential contact may do so by submitting the information online through Blue & Gold. This information may be updated later by the student as needed through Blue & Gold.

Reporting a Missing Student
Any concerned person should notify the University Police Department, 361-593-2611, or a campus security authority (CSA) of a belief that a student is missing for 24 hours. CSA’s include, but are not limited to,

- Vice President of Student Affairs/Dean of Students
- University Housing and Residence Life staff members such as the:
  - Executive Director,
  - Director of Housing,
  - Associate Director of Residential Education,
  - Assistant Director of Residence Life, and
  - Area Coordinators, Head Residents and Resident Advisors,
- UPD staff 361-593-2611

The phone number for Housing is 361-593-3419, additional telephone numbers for each hall are as follows:
  - Bishop Hall 361-593-3527;
  - Lewis Hall 361-593-4652;
  - Lynch Hall 361-593-2577;
  - Martin Hall 361-593-3239;
  - Mesquite Village-West 361-4569;
  - Turner Hall 361-593-3829; and
  - Lucio Hall 361-593-4559.

A missing person is an individual whose whereabouts are unknown; they have disappeared for no known reason and there is reasonable concern for their well-being and safety. If a student or employee is believed to be missing and there is reasonable concern for his or her well-being and safety, call the police immediately.

A student enrolled at the university at either a full- or part-time status, who is perceived by the reporting person to be overdue in reaching home, campus, or another specific location, and there is an identifiable concern for the well-being of the student, may be reported as a missing student.
Any university employee receiving a complaint of a missing student must notify UPD and provide further information related to the reported missing student. Be prepared to provide the following information:

- The missing person’s full name and nicknames or aliases
- Full description to include sex, race, date of birth (age), height, weight, eye color, and hair color
- Photograph
- Medications
- Vehicle information
- Unusual or visible physical attributes such as birthmarks, tattoos, scars, or piercings
- Date and time of last contact
- Last known whereabouts
- What they were last seen wearing
- Who they were last seen with
- Fingerprints, recent photos, dental records, and all other significant and relevant information, if available

**Weapons Policy**

Texas A&M University-Kingsville strives to provide a safe and secure environment for its students, staff and faculty. Texas A&M University-Kingsville prohibits the possession or storage of any weapons, fireworks or explosives on university premises or at any university-sponsored activity, except in the following cases: law enforcement personnel engaged in the official performance of their assigned duties; approved university experiments and/or projects; transporting of firearms to and from a place of storage; Texas A&M University - Kingsville ROTC; and other approved academic use. The term “weapons” may be defined as any object or substance designed to inflict a wound, cause injury or incapacitate.

**Weapons as defined in Texas Penal Code, Chapter 46, include, but are not limited to:**

- Handguns, revolvers, pistols, BB guns, pellet guns, stun guns, etc.
- Chemical weapons and/or explosives (including bullets or fireworks)
- Knives, bows and arrows; slingshots
- Martial arts weapons
- Toy weapons that look like real weapons are similarly prohibited on campus. University officials encourage anyone who has or owns any weapon to contact the University Police Department to arrange for storage of such items. The University police department will secure all weapons providing a receipt for items stored, each item will be checked for status and before the item is returned, a criminal history check will be conducted. All requests, exceptions and interpretation of this policy will be managed by the University’s Director of Public Safety/Chief of Police. (361-593-2611)

**Clery Report for Campus Crime Statistics**

**Reporting Requirements**

The United States Department of Education, in its Higher Education Amendments of 1999, published final rules and regulations providing clarification for crime reporting requirements under the Jeanne Clery Disclosure of Campus Security Policy & Campus Crime Statistics Act. An institution must report statistics concerning the occurrence on campus, on related non-campus property and on public property of the following crimes:

- Murder
- Manslaughter
- Sex offenses, forcible and/or non-forcible sex offenses
- Aggravated assault
- Burglary
- Arson
• Motor-vehicle theft
• Robbery
• Statistics concerning the criminal offenses of murder, forcible rape and aggravated assault which manifest evidence of prejudice based on race, gender, religion, sexual orientation, ethnicity, disability, national origin or sexual orientation, gender identity as prescribed by the Hate Crimes Statistics Act.

Additionally, statistics concerning the number of arrests and disciplinary referrals for the following crimes must be provided:

• Liquor-law violations
• Drug-related violations
• Weapon possession violations
• Hate crime statistics concerning the above crimes which manifest evidence of prejudice based on race, religion, sexual orientation, ethnicity, disability, national origin or sexual orientation as prescribed by the Hate Crimes Statistics Act, and
• Domestic violence, dating violence and stalking incidents that were reported to campus security authorities or local police agencies.

**Clery Crime Definitions**

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

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

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

**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, or by putting the victim in fear.

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by 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 that could and probably would result in serious personal injury if the crime were successfully completed).

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

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

**Sex Offenses:** Any sexual act directed against another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent. The term “Sexual Assault” encompasses an offense that meets the definition of the following:

• **Rape:** 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. determination that the crime report is false or baseless and therefore “unfounded.” Only sworn or commissioned
- **Fondling**: The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

- **Incest**: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

- **Statutory Rape**: Non-forcible sexual intercourse with a person who is under the statutory age of consent.

**Domestic Violence**: Violence committed by a current or former spouse or intimate partner of the complainant, by a person with whom the complainant shares a child in common, by a person who is cohabitating with or has cohabitated with the complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the complainant 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 complainant 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.

**Dating Violence**: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on: 1) the reporting party’s statement and with, 2) consideration of the length of the relationship, 3) type of relationship, and 4) frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

**Stalking**: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to: A) Fear for the person’s safety or the safety of others, or B) Suffer substantial emotional distress. Examples of stalking behaviors include, but are not limited to, nonconsensual communication, including face-to-face contact, telephone calls, voice messages, email, texts, written letters; unwanted gifts; threatening or obscene gestures; pursuing or following; surveillance or other observation; trespassing; vandalism; and nonconsensual touching.

**Hate Crimes**: If any of the aforementioned crimes, or larceny-theft; simple assault; intimidation; destruction, damage, or vandalism of property; or any other crime involving bodily injury, manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim’s actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity/national origin, or disability, then the incident must be reported as a hate crime.

**Weapon Law Violations**: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

**Drug Abuse Violations**: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadones); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

**Liquor Law Violations**: The violation of laws or ordinances prohibiting the manufacture, sale, transporting, furnishing, or possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkenness, Public Intoxication and driving under the influence are not included in this definition).
Unfounded crimes: An institution may withhold, or subsequently remove, a reported crime from its crime statistics in the rare situation where sworn or commissioned law enforcement personnel have fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal law enforcement personnel may “unfound” a crime report. The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, and the failure to make an arrest do not “unfound” a crime report.
### CRIMINAL OFFENSES – On Campus

<table>
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### CRIMINAL OFFENSES – Noncampus

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### CRIMINAL OFFENSES – Public Property

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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Arson</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Simple</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Larceny-theft</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Intimidation</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Destruction/damage/vandalism of property</td>
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<table>
<thead>
<tr>
<th>Hate Crimes – Public Property</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
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</thead>
<tbody>
<tr>
<td>Murder/Non-negligent manslaughter</td>
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<tr>
<td>Negligent manslaughter</td>
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<tr>
<td>Sex Offenses-Forcible:</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Rape</td>
<td>X</td>
<td>X</td>
<td>0</td>
</tr>
<tr>
<td>Fondling</td>
<td>X</td>
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<td>Forcible Sex Offense</td>
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<tr>
<td>Statutory Rape</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Incest</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Sex Offenses-Non-Forcible</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Include only incest and statutory rape)</td>
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<td>0</td>
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<tr>
<td>Robbery</td>
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<td>Aggravated Assault</td>
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<tr>
<td>Burglary</td>
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<tr>
<td>Motor Vehicle Theft</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Arson</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
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</tr>
<tr>
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</tr>
<tr>
<td>Intimidation</td>
<td>0</td>
<td>0</td>
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</tr>
<tr>
<td>Destruction/damage/vandalism of property</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>
**REPORTED HATE CRIMES:**

Categories of bias include the victim’s actual or perceived - Race; Gender; Gender identity; Religion; sexual orientation; Ethnicity; National origin; and Disability.

In 2012 there were no reported hate crimes
In 2013 there were no reported hate crimes
In 2014 there were no reported hate crimes

<table>
<thead>
<tr>
<th>Arrests – On Campus</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illegal weapons Possession</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Drug law violations</td>
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</tr>
<tr>
<td>Liquor law violations</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Arrests – Non Campus</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illegal weapons Possession</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Drug law violations</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Liquor law violations</td>
<td>0</td>
<td>0</td>
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</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Arrests – Public Property</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illegal weapons Possession</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Drug law violations</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Liquor law violations</td>
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</table>

<table>
<thead>
<tr>
<th>Disciplinary Referrals – On Campus</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illegal weapons Possession</td>
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</tr>
<tr>
<td>Drug law violations</td>
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<tr>
<td>Liquor law violations</td>
<td>0</td>
<td>0</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Disciplinary Referrals – Non Campus</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illegal weapons Possession</td>
<td>0</td>
<td>0</td>
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</tr>
<tr>
<td>Liquor law violations</td>
<td>0</td>
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</table>

<table>
<thead>
<tr>
<th>Disciplinary Referrals – Public Property</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illegal weapons Possession</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Drug law violations</td>
<td>0</td>
<td>0</td>
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</tr>
<tr>
<td>Liquor law violations</td>
<td>0</td>
<td>0</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Arrests – Dating Violence Incidents</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>On Campus</td>
<td>X</td>
<td>X</td>
<td>0</td>
</tr>
<tr>
<td>Non Campus</td>
<td>X</td>
<td>X</td>
<td>0</td>
</tr>
<tr>
<td>Public Property</td>
<td>X</td>
<td>X</td>
<td>0</td>
</tr>
</tbody>
</table>
There are no student residential units on the Weslaco Campus

<table>
<thead>
<tr>
<th>Disciplinary Referrals – Dating Violence Incidents</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>On Campus</td>
<td>X</td>
<td>X</td>
<td>0</td>
</tr>
<tr>
<td>Non Campus</td>
<td>X</td>
<td>X</td>
<td>0</td>
</tr>
<tr>
<td>Public Property</td>
<td>X</td>
<td>X</td>
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</tbody>
</table>
Emergency Response and Evacuation Procedures
Evacuation drills are coordinated by the Office of Risk Management, Environmental Health and Safety Office and University Housing and Residential Life each fall, spring and summer semesters for all residential facilities at the Texas A&M University-Kingsville. The emergency evacuation procedures for each residential unit (University Village, Mesquite Village - West, Lewis Hall, Bishop Hall, Martin Hall and Lynch Hall) are tested at least twice each semester, once in each of the summer session for total of 6 drills per housing residential unit. University Housing and Residential Life conducts announced and unannounced drills. Students become familiar with the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. Students are also instructed on fire alarm pull stations and how to activate them in case of a fire or other emergency situation.

University Housing and Residence Life does not inform residents in advance about the designated long-term evacuations because those decisions are affected by the time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In all cases, UPD, Risk Management, Environmental Health and Safety, University Housing and Residence Life staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes. The purpose of the drills is to prepare building occupants for an organized evacuation in cases of an emergency. Evacuation drills are used as a way to educate and train occupants on issues specific to their facility. During the drill, occupants “practice” drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. All occupants are instructed that in the cases where fire alarms are activated they must evacuate the building immediately. In addition to educating the occupants of each building about the evacuation procedures during the drills, the process also provides the University an opportunity to test the operation of the fire alarm system components. Any deficient equipment is noted so that appropriate repairs can be performed. Students receive emergency information and procedures during their hall meetings. Additionally, students are provided promotional materials titled “Have an Exit Strategy” which are developed by the Texas State Fire Marshal’s Office. The university continues to inspect, test and replace fire detection equipment in residential halls as necessary.

Emergency Notification
Texas A&M University-Kingsville utilizes both Tier 1 and Tier 2 notification systems to notify the campus community. One method the university uses to transmit emergency information is through Tier I and Tier II, a system that quickly notifies registered users of campus emergencies through text messages, emails and voicemail alerts. Additionally, in buildings equipped with public address capability through the fire alarm system, announcements can be made. The university campus exterior loudspeaker notification system provides direct commands and sounds that alert the campus to danger and ways to take necessary precautions. The system is accompanied by interior signs that provide both written and verbal commands— in English and Spanish.

The University Police Department will notify/coordinate response efforts with local enforcement authorities and other outside emergency personnel. The communications specialist or designee is responsible for disseminating emergency information to the public.

Emergency Management Team Members
Members of the University’s Emergency Management Team include the following:
- Senior Vice President for Student Affairs, Enrollment Management and University Administration. Serves as the chair of the Emergency Management Team
- Executive Director, Enterprise Risk Management
- Director of Public Safety/Chief of Police
- Director, University Facilities Planning and Construction
Depending upon the situation, however, other university personnel will be involved in carrying out the university’s emergency response efforts.

**Campus Evacuation**
The president or designee will authorize university evacuation orders. An announcement of a campus-wide evacuation will come from the Office of the President or the Emergency Management Team. Students and employees should follow the instructions and timeline for leaving the campus and alert others to do the same. Information about returning to the campus will be provided through Tier I and Tier II, the personnel recall process for employees and press releases through the news media outlets.

**Building Evacuation**
An evacuation will occur when the fire alarm sounds and/or notification is made by the University Police Department, Emergency Management Team, the building emergency managers acting under the instructions of these offices, the Kingsville Fire Department, or the Kingsville Police Department.

All persons (students, employees and campus visitors) are to immediately vacate the area in question, leaving by the nearest marked exit or in accordance with the posted evacuation plan and alert others to do the same. Once outside, proceed to the designated building assembly area. Personnel shall not return to an evacuated building until given the all clear signal by Texas A&M University-Kingsville officials.

Annually, one or more buildings are selected at random, an emergency is declared within or in the vicinity of, evacuation procedures are posted and executed. The drill is critiqued and an After Action Report (AAR) is generated. The AAR will be retained for a minimum of (2) two years.

**Reporting a Fire**
University students and staff reporting a fire on campus should call the Texas A&M University-Kingsville Police Department (361-593-2611) or 911.

If the fire event is no longer a danger they should contact:
Texas A&M University-Kingsville Police Department, (361-593-2611)
Office of Risk Management (361-593-2237),
Office of Environmental Health and Safety (361-593-4131), or,
Executive Director of University Housing and Residential Life (361-593-2139)
Texas A&M University Fire Marshall, (361-593-3183)

If the fire event concerned a campus residential unit, students or staff may also activate a fire alarm pull station, located throughout the residential halls, to begin immediate evacuation of the building and notify UPD of the fire.
Emergency Fire Procedures
For more fire safety information, visit: http://ppo.tamuk.edu/ehs/Fire_Brochure/Page_1.htm or call the Environmental Health & Safety Office at 2646.

If you are involved in an emergency fire situation on the campus of Texas A&M University-Kingsville, implement the FIR(E2) procedure.

Find: If you see or smell smoke, investigate. You should try to determine the extent of the fire, the type of fire and the location of the fire.
Initiate: Alert the people in the vicinity to the danger as quickly as possible. Pull the fire alarm station and ask other people to assist in evacuation of the building. NEVER try to control a fire before other people in the building and UPD have been notified.
Report: Instruct someone to call UPD at extension 2611 to report the emergency. If you are alone – call UPD prior to any attempt at extinguishing the fire.
Extinguish or… Attempt to extinguish the fire ONLY if it is small enough to be contained AND you know how to use the extinguisher. Place yourself between the fire and an exit when using an extinguisher to prevent from being trapped.
Evacuate: If the fire cannot be extinguished – EVACUATE! Use the stairways to exit the building. Do not use elevators. As you exit the building, close as many doors as possible. Closed doors act as fire barriers.

Once outside, move to a safe meeting place away from the firefighters. Cooperate with the Building Emergency Manager(s) and other university emergency response staff to conduct roll of building occupants. The fire department should be notified if anyone is left in the building. Stay outside the building until the fire department and/or university officials have indicated that the building is safe to re-enter. UPD personnel will give the signal when it is safe for persons to re-enter the building.

When you hear the fire alarm – LEAVE the area immediately, closing all doors behind you.
Follow the main evacuation route, but be prepared to use an alternate evacuation route.

If you must evacuate through smoke, get down and crawl. Heat and deadly smoke rise and cleaner air will be 12” to 24” above the floor.

If you must open doors while evacuating, test the doors before opening. Use the back of your hand to touch the door, the door knob and the door frame. If they are cool, brace yourself against the door and slowly open the door; if smoke and heat are present, close the door and use an alternate evacuation route.

Use stairways – NEVER use an elevator. In a fire, elevator shafts may fill with smoke, or may have power failure – leaving you trapped!

Once outside, move to your designated assembly areas away from the firefighters. So the fire department if anyone is left in the building. Stay outside the building until the fire department has indicated that the building is safe to re-enter.

If you are trapped!
Stay Calm – you can take steps to protect yourself:

If possible go to a room with an outside window and a phone. Call UPD at extension: 2611 and give your exact location. If there is no phone – wave an object out the window (a sheet or jacket), to signal for help. Be ready to shut the window if smoke enters the room.

Keep all doors between you and the fire closed. Cover all vents and seal cracks around the doors to keep out smoke.
Kingsville Fire Department
The Kingsville Fire Department (361-592-2611) provides services to Texas A&M University-Kingsville and area residents for the protection of life and property from fire and natural disasters. They maintain a standard of training which encompasses both a prompt response to emergencies and the safety of citizens. Firefighters promote community safety through public education and fire safety programs.

Fire Safety System
Texas A&M University-Kingsville residence halls are protected by sprinkler, fire alarm and smoke detection systems which are monitored 24 hours a day, seven days a week by the University Police Department.

Fire Safety Training
Faculty, staff and students should be aware of the location of fire safety equipment and building evacuation routes. For on-campus residents, fire evacuation plans and instruction are posted in-hall (posted in each residential unit) copies may be obtained through University Housing/Residence Life.

Resident Advisors have fire safety training each year. Fire safety information is discussed at the first floor meeting of the semester and each wing elects a Fire Marshall to assist the Resident Advisors during drills and evacuations.

The University has also designated Building Emergency Managers (BEMs) to assist with emergencies including building evacuations in their respective areas. The BEMs receive annual emergency response training through the Office of Environmental Health & Safety.

Fire drills are also conducted each semester to ensure students understand emergency building evacuation procedures. Students must evacuate the building whenever an alarm sounds. Students who ignore evacuation instruction may be subject to conduct proceedings. Fire drills are also conducted each semester to ensure students understand emergency building evacuation procedures. Students who ignore evacuation instruction may be subject to conduct proceedings. The University Housing and Residence Life department schedules 4 or more fire drills for each housing unit, per academic year, usually 2 each semester (1 announced & 1 unannounced).

Tampering with emergency equipment such as fire extinguishers, fire alarms, or emergency exit signs is prohibited by state law and the University Code of Conduct.

Residence Hall Fire Safety at Texas A&M University-Kingsville
There are a number of policies which address matters of health and safety in on-campus housing facilities.

Appliances allowed in the residence halls, provided they are in good condition and are UL approved, include:
- Coffee pots
- Hair dryers
- Stereos
- Televisions
- Radios
- Computers
- Small refrigerator (maximum is 2 cubic feet)
- Microwaves are permitted in the kitchenette area of University Village but not in the student's room

For health and safety reasons, the following items are prohibited in the halls:
- Microwave/toaster ovens (exception-Microwaves are allowed in the kitchenette areas of Lucio Hall)
- Hot pots
- Air conditioning units/space heaters
- Hot plates
- Extension cords
- Propane stoves
Residents of on-campus housing are expected to not:

- Overload electrical circuits
- Leave hairdryers or irons plugged in when not in use
- Touch fire sprinkler heads
- Use fireworks
- Hang flammable materials near your bed
- Ignore a fire drill
- Tamper with safety fixtures and devices (i.e. stairs, railings, emergency lighting and equipment, electrical controls, smoke alarms, etc.)

The Residence Life staff will conduct monthly health and safety inspections. Possession of prohibited items or the misuse of restricted items will result in the item(s) being confiscated by hall staff until the resident is able to properly remove the Item(s) from the premises. Additionally, students are subject to conduct action.

Candles/Incense/Cooking

The possession or burning of candles, incense and other highly flammable items is prohibited. Fire safety regulations do not permit cooking in student rooms or the use or possession of microwave ovens, broiler ovens, hot plates, or other related appliances with exposed heating elements. Prohibited items are subject to confiscation.

Smoking

In order to ensure a safe, healthy and pleasant work, educational and living environment, Texas A&M University-Kingsville maintains rules and guidelines that limit smoking on all university owned or leased property.

Areas in which smoking is prohibited (except as noted in this role): Smoking is prohibited in all "No Smoking" areas and in all university-owned buildings, athletic stadium seating areas, retail service areas and all vehicles owned or leased by Texas A&M University-Kingsville.

Areas and circumstances in which smoking is permitted:

- On university property, smoking is permitted in open-air areas outside of buildings at a distance of at least 20 feet from any entrance door or window so that second hand smoke will not interfere with the occupants of the buildings or individuals entering and exiting the buildings. In athletic stadiums, smoking is permitted downwind and at least 20 feet away from the seating and vending areas.
- University student artists or actors who participate in authorized performances will be allowed to smoke as part of an artistic production provided that appropriate disposal receptacles and smoke filtration units are available and the audience is informed prior to the performance.
- If approved by the Provost and Vice-President for Academic Affairs, smoking is permitted by participants in academic research projects involving smoking provided that it is conducted in a designated area and informational signs are posted indicating the presence of tobacco smoke. The Principal Investigator must have a smoke filtration unit operating during the smoking event.

Compliance and fire safety: This rule relies on thoughtfulness, consideration and cooperation of smokers and non-smokers for its success. It is the responsibility of all members of the Texas A&M University-Kingsville community to observe the provisions and comply with the spirit and intent of this rule. It is expected that smokers will utilize proper receptacles to contain the ignited tobacco and will properly discard all smoking materials in a manner as to prevent fires.
Fire Safety Policy
All persons are required to evacuate the buildings and cooperate with staff when an alarm is sounded. Fire extinguishers and exit signs are strategically located in each hall. These are for the protection of all residents and are expensive to replace. Persons abusing, removing, or tampering with any fire safety equipment, such as fire alarms, fire extinguishers exit lights, etc., are subject to removal from the residence hall, even on a first offense, and to other appropriate disciplinary action. All residents will be expected to participate when the hall staff conducts fire drills. As part of the fire safety program, the residence hall staff will conduct monthly health and safety inspections.

Plans for future improvement
Based on a comprehensive review of the fire alarm and suppression systems in the residence halls, the following is a list of future improvements:

<table>
<thead>
<tr>
<th>Residence Hall</th>
<th>Complete required inspection, testing, and repair/Licensed Contractor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lynch Hall</td>
<td></td>
</tr>
<tr>
<td>Turner Hall</td>
<td></td>
</tr>
<tr>
<td>Bishop Hall</td>
<td></td>
</tr>
<tr>
<td>Martin Hall</td>
<td></td>
</tr>
<tr>
<td>Lucio Hall</td>
<td></td>
</tr>
<tr>
<td>Mesquite Village - West</td>
<td></td>
</tr>
</tbody>
</table>

The University Fire Marshal conducts Life & Safety inspections of all the residence halls beginning in October. During this process each room is inspected for any fire hazards (extension cords, piggy back power surge, unauthorized cooking appliances, candles, etc).

Residential Halls – Fire Detection and Suppression Systems

<table>
<thead>
<tr>
<th>Residence Hall</th>
<th>Sprinkler System</th>
<th>Fire Alarm System</th>
<th>Smoke Detection</th>
<th>Fire Extinguisher Device</th>
<th>Evacuation Plans</th>
<th>Number of Drills Per Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bishop Hall</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>2</td>
</tr>
<tr>
<td>Lewis Hall</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>2</td>
</tr>
<tr>
<td>Lynch Hall</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>2</td>
</tr>
<tr>
<td>Martin Hall</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>2</td>
</tr>
<tr>
<td>Turner Hall</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>2</td>
</tr>
<tr>
<td>Lucio Hall</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>2</td>
</tr>
<tr>
<td>Mesquite Village-West</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>2</td>
</tr>
</tbody>
</table>

* Evacuation plans are posted on the back of each residence hall room door.

Fire Drills Residential Halls 2014

<table>
<thead>
<tr>
<th>Exercise/Location</th>
<th>Date</th>
<th>Time</th>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lewis Hall</td>
<td>2/24/2014</td>
<td>10:00 pm</td>
<td>Announced</td>
<td>Fire Drill &amp; Evacuation</td>
</tr>
<tr>
<td>Martin Hall</td>
<td>2/24/2014</td>
<td>7:20 pm</td>
<td>Announced</td>
<td>Fire Drill &amp; Evacuation</td>
</tr>
<tr>
<td>Lynch Hall</td>
<td>2/24/2014</td>
<td>8:32 pm</td>
<td>Announced</td>
<td>Fire Drill &amp; Evacuation</td>
</tr>
<tr>
<td>Lucio Hall</td>
<td>2/24/2014</td>
<td>8:50 pm</td>
<td>Announced</td>
<td>Fire Drill &amp; Evacuation</td>
</tr>
<tr>
<td>Mesquite Village West</td>
<td>2/24/2014</td>
<td>8:57 pm</td>
<td>Announced</td>
<td>Fire Drill &amp; Evacuation</td>
</tr>
<tr>
<td>Bishop Hall</td>
<td>2/25/2014</td>
<td>8:59 pm</td>
<td>Announced</td>
<td>Fire Drill &amp; Evacuation</td>
</tr>
<tr>
<td>Turner Hall</td>
<td>2/25/2014</td>
<td>9:02 pm</td>
<td>Announced</td>
<td>Fire Drill &amp; Evacuation</td>
</tr>
<tr>
<td>Martin Hall</td>
<td>4/21/2014</td>
<td>7:30 pm</td>
<td>Unannounced</td>
<td>Fire Drill &amp; Evacuation</td>
</tr>
<tr>
<td>Lynch Hall</td>
<td>4/21/2014</td>
<td>8:00 pm</td>
<td>Unannounced</td>
<td>Fire Drill &amp; Evacuation</td>
</tr>
<tr>
<td>Mesquite Village West</td>
<td>4/21/2014</td>
<td>8:47 pm</td>
<td>Unannounced</td>
<td>Fire Drill &amp; Evacuation</td>
</tr>
<tr>
<td>Lucio Hall</td>
<td>4/21/2014</td>
<td>9:10 pm</td>
<td>Unannounced</td>
<td>Fire Drill &amp; Evacuation</td>
</tr>
<tr>
<td>Turner Hall</td>
<td>4/21/2014</td>
<td>9:15 pm</td>
<td>Unannounced</td>
<td>Fire Drill &amp; Evacuation</td>
</tr>
<tr>
<td>Bishop Hall</td>
<td>4/21/2014</td>
<td>9:16 pm</td>
<td>Unannounced</td>
<td>Fire Drill &amp; Evacuation</td>
</tr>
</tbody>
</table>
Fire Logs

Fire logs are chronological lists of fires occurring in Texas A&M University-Kingsville residence halls during a calendar year. The logs list the date, time, incident number, general location, nature of incident, cause, number of deaths, number of injuries requiring treatment, and dollar loss.

Definitions

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

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

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

Fire Related Death: Any instance in which a person is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue or escaping from dangers of fire, or death that occurs within 1 year of injuries sustained as a result of the fire.

Fire Log 2014

The Texas A&M University-Kingsville fire log is available for inspection at UPD, with information regarding the most recent 60-day period that is open to public inspection, upon request, during normal business hours. Any requests to view a portion of the log that is older than 60 days must be made to UPD and will be available within 2 business days of a request for public inspection. There were 5 reported fires in university residence halls in 2014.

<table>
<thead>
<tr>
<th>Residence Hall</th>
<th>Date of Incident</th>
<th>Time of Incident</th>
<th>General Location</th>
<th>Nature of Incident</th>
<th>Cause</th>
<th>Number of Deaths</th>
<th>Number of Injuries</th>
<th>Dollar Loss</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bishop Hall 1210 W. Santa Gertrudis</td>
<td>None</td>
<td>None</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Mesquite Village West</td>
<td>None</td>
<td>None</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

FIRE LOG 2014
<table>
<thead>
<tr>
<th>Residence Hall</th>
<th>Date of Incident</th>
<th>Time of Incident</th>
<th>General Location</th>
<th>Nature of Incident</th>
<th>Cause</th>
<th>Number of Deaths</th>
<th>Number of Injuries</th>
<th>Dollar Loss</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bishop Hall 1210 W. Santa Gertrudis</td>
<td>None</td>
<td>None</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Lewis Hall 855 N. University Blvd</td>
<td>None</td>
<td>None</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Lynch Hall 1110 W. Santa Gertrudis</td>
<td>None</td>
<td>None</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Martin Hall 1255 W. Engineering Ave</td>
<td>None</td>
<td>None</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Turner Hall 1210 W. Santa Gertrudis</td>
<td>09/21/2013</td>
<td>4:53 a.m.</td>
<td>3rd Floor</td>
<td>Posters on door set on fire</td>
<td>Intentional</td>
<td>N/A</td>
<td>N/A</td>
<td>$25</td>
</tr>
<tr>
<td>Lucio Hall 1015 N. Retama</td>
<td>04/04/2013</td>
<td>6:48 p.m.</td>
<td>4th Floor</td>
<td>3 posters on doors set on fire</td>
<td>Intentional</td>
<td>N/A</td>
<td>N/A</td>
<td>$5.00</td>
</tr>
</tbody>
</table>

**Fire Log 2013**

The Texas A&M University- Kingsville fire log is available for inspection at UPD, with information regarding the most recent 60-day period that is open to public inspection, upon request, during normal business hours. Any requests to view a portion of the log that is older than 60 days must be made to UPD and will be available within 2 business days of a request for public inspection. There were 2 reported fires in university residence halls in 2013.
Fire Log 2012
The Texas A&M University- Kingsville fire log is available for inspection at UPD, with information regarding the most recent 60-day period that is open to public inspection, upon request, during normal business hours. Any requests to view a portion of the log that is older than 60 days must be made to UPD and will be available within 2 business days of a request for public inspection. There was 1 reported fire in university residence halls in 2012.

<table>
<thead>
<tr>
<th>Residence Hall</th>
<th>Date of Incident</th>
<th>Time of Incident</th>
<th>General Location</th>
<th>Nature of Incident</th>
<th>Cause</th>
<th>Number of Deaths</th>
<th>Number of Injuries</th>
<th>Dollar Loss</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bishop Hall 1210 W. Santa Gertrudis</td>
<td>None</td>
<td>None</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>None</td>
</tr>
<tr>
<td>Lewis Hall 855 N. University Blvd</td>
<td>5/31/12</td>
<td>8:11pm</td>
<td>1st Floor Lobby</td>
<td>Electrical Fire</td>
<td>Vending machine</td>
<td>0</td>
<td>0</td>
<td>$4,300</td>
</tr>
<tr>
<td>Lynch Hall 1110 W. Santa Gertrudis</td>
<td>None</td>
<td>None</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Martin Hall 1255 W. Engineering Ave</td>
<td>None</td>
<td>None</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Turner Hall 1210 W. Santa Gertrudis</td>
<td>None</td>
<td>None</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>University Village 1015 N. Retama</td>
<td>None</td>
<td>None</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Mesquite Village-West 1212 W. Ave B</td>
<td>None</td>
<td>None</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Cause: listed in accord with the National Fire Incident Reporting System
Nature of Incident: listed in accord with the Nation Fire Incident Reporting System
Texas A&M University – San Antonio

Texas A&M University-Kingsville is not responsible for the security of the Texas A&M University – San Antonio (TAMUSA) campus. Texas A&M University – San Antonio Police Department responds to calls for service to the following TAMUSA campuses:

- Main Campus, One University Way, San Antonio, Texas 78224 (Phone: 210-784-1911)
- Brooks City-Base Campus, 2601 Louis Bauer Drive, San Antonio, Texas 78224 (Phone 210-784-1900),
- Gillette Campus, 1450 Gillette Blvd, San Antonio, TX 78224 (Gillette is no longer university property as of May 2015)
- A&M –SA North (Alamo University Center), 8200 Pat Booker Road, Live Oak, TX 78233 Alamo College Police Department (210-485-0099)

Reporting Crimes or Other Emergencies on San Antonio Campuses:
Texas A&M University-San Antonio Main Campus, One University Way, San Antonio, TX, 78224
Texas A&M University-San Antonio encourages accurate and prompt reporting of all crimes. Campus members observing criminal activities and other emergencies occurring on campus should contact UPD immediately by dialing ext. 1911 from any campus telephone or by dialing (210) 784-1911. You may also contact police officers on patrol or in our on-campus UPD offices.

To report a non-emergency security or public safety-related matter, call the University Police Department at (210) 784-1900 (non-emergencies). Officers are available 24 hours a day to answer calls.

Reporting Crimes, Non Emergencies, or Other Emergencies:
Texas A&M University-San Antonio Brooks City-Base Campus, 2601 Louis Bauer Drive, San Antonio, TX, 78235
Faculty, staff or students observing criminal activities, other emergencies or non-emergencies occurring at Brooks City-Base should contact University Police Department at (210) 784-1900 (non-emergencies), (210) 784-1911 (emergencies).

TAMUSA University Campus Police Department has the primary responsibility for law enforcement, security and emergency response on campus. Officers can also refer students who have violated the Student Code of Conduct to the Office of Student Engagement & Success. Our physical address is One University Way, San Antonio Texas 78224. We can be reached at (210) 784-1900 during University campus hours of operation.
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The men and women of the Texas A&M University-San Antonio Police Department (A&M-SA PD) are committed to ensuring that our students, faculty, staff and guests enjoy a safe working and learning environment. This 2015 Annual Security Report contains critical information you should familiarize yourself with about campus safety and security. Described in detail is our law enforcement arrest authority; our crime reporting policies, procedures & responses; our working relationships with state and local police; our encouragement of prompt reporting of crimes; and access control procedures. Additionally, there is information concerning drug and alcohol abuse prevention, weapons on campus and sexual assault, stalking, domestic and dating violence information.

This report contains data about crime statistics for the three previous calendar years detailing the reported crimes that occurred on the TAMU-SA Main Campus, Brooks City-Base Campus, and support facilities to include property owned or controlled by the University and on public property or property immediately adjacent to and accessible from the campuses. This information is required by the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act and the Higher Education Reauthorization Act and is provided by A&M-SA PD.

We also welcome you to browse our web site at http://www.tamusa.tamus.edu/upd/ to send us your questions and feedback so that we may provide you with the best service possible.

Sincerely,
Ron Davidson, MS
Chief of Police

2015 Annual Campus Security Report (Known as the Clery Compliance Report)
The Texas A&M University-San Antonio 2015 Annual Campus Security Report is designed to provide important information about safety on our campus. This report contains information on the resources and services available to faculty, staff and students of Texas A&M University-San Antonio. It also contains statistics about certain crimes that were reported to have happened on our campuses and adjacent public property or at any noncampus locations owned or controlled by the University that are used for educational purposes. These statistics were gathered for the three previous calendar years (2012, 2013, and 2014). The policy statements found in this report apply to both the Main Campus and the Brooks City-Base Campus, unless stated otherwise.

It is important to stress that our campuses are safe. However, you are encouraged to be aware of your personal safety and security and to be responsible for your actions while on campus. Texas A&M University-San Antonio has many programs and procedures in place to contribute to a safe campus environment, and you are encouraged to become familiar with them and review them regularly.

- Daily Crime Log
• Timely Warnings
• Crime Prevention Tips
• Classroom Call Boxes
• Parking lot Blue Lights

Your safety is very important to us. If you notice any suspicious, dangerous or illegal activities on campus, please notify the A&M-SA PD at (210) 784-1900 (nonemergency) or in an emergency 911 on campus phones and (210) 784-1911 (on your cell) as soon as possible for investigation and resolution.

Fire Safety Log
The Fire Safety Log is mandatory for all institutions with on-campus student housing facilities. At this time, TAMU-SA does not have on-campus student housing facilities. A fire safety log is not currently required.

Annual Fire Safety Report
The Annual Fire Safety Report is mandatory for all institutions with on-campus student housing facilities. At this time, TAMU-SA does not have on-campus student housing facilities. The Annual Fire Safety Report is not currently required.

Contact Information
For Campus Emergencies 911 (campus phones)
A&M-SA PD Emergency Number (24/7) (210) 784-1911 (Cell)
Facilities Services (210) 784-2100
Safety, Risk and Emergency Management (210) 784-1150
Campus Numbers
A&M-SA PD Dispatch Non-Emergency Number (210) 784-1900
Welcome Center (210) 784-1000
University Library (210) 784-1500
ITS Helpdesk (210) 784-4357

Preparing the Annual Security Report
This annual security report is compiled and prepared by the A&M-SA PD in cooperation with many campus departments, including:
• Campus Security Authorities (CSAs)
• Office of Student Rights and Responsibilities
• Title IX Coordinator
• Office of Student Engagement and Success

Crime and disciplinary referral statistics are collected from the above groups, while statistical information for activity that occurs off campus is retrieved from the San Antonio Police Department and other local law enforcement agencies. For purposes of making timely warning reports and the annual statistical disclosure required under the Clery Act, the campus community should report crimes to either the A&M-SA PD or a Campus Security Authority (CSA).

Law Enforcement Authority
The A&M-SA PD is the primary respondent for campus emergencies and reports of criminal activity on campus. A&M-SA PD officers derive their authority under the Texas Education code Section 51.203: Campus Peace Officers. A&M-SA PD officers are fully certified by the State of Texas with full arrest powers. A&M-SAPD does not employ non-commissioned security officers. At this time, there are no off-campus locations for student organizations.

Law Enforcement Partnership
A&M-SAPD regularly works with state and local police agencies (City of San Antonio Police Department, Bexar County Sheriff’s Departments, Harlandale ISD Police Department, South San ISD Police Department, Southside ISD Police Department, Somerset ISD Police Department, Texas Department of Public Safety, Department of Homeland Security
and the F.B.I.), resulting in the University’s awareness of criminal activity perpetrated beyond the campus. The A&M-SA PD currently has a Memorandum of Understanding with San Antonio Police Department. Crimes are investigated by the A&M-SA PD but depending on the nature and severity of the crime, other agencies can be contacted to assist in the investigation.

**Reporting Crimes**
Texas A&M University-San Antonio
One University Way, San Antonio, TX, 78224

Texas A&M University-San Antonio encourages accurate and prompt reporting of all crimes. Members of the campus community, including faculty, staff, students, and third parties who observe criminal activities and other emergencies occurring on campus should contact A&MSA PD immediately by dialing 911 from any campus telephone or by dialing (210) 784-1911 from your cell phone. You may also contact police officers on patrol or in our on-campus A&M-SA PD offices. You may also contact a Campus Security Authority if you are a victim or witness a crime. A partial list of Campus Security Authorities is provided below.

<table>
<thead>
<tr>
<th>Authority</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jolene DesRoches, Director of Counseling and Wellness</td>
<td>(210) 784-1336</td>
</tr>
<tr>
<td>Margarita Vasquez, Director of Enrollment Services</td>
<td>(210) 784-1301</td>
</tr>
<tr>
<td>Melissa Mahan, Vice President for Student Affairs</td>
<td>(210) 784-1371</td>
</tr>
<tr>
<td>Jacquelyn Jimenez, Title IX Coordinator</td>
<td>(210) 784-1179</td>
</tr>
<tr>
<td>A&amp;M-SA PD (non-emergency)</td>
<td>(210) 784-1900</td>
</tr>
</tbody>
</table>

To report a non-emergency security or public safety-related matter, call the A&M-SA PD at (210) 784-1900 (non-emergencies). Officers are available 24 hours a day to answer calls. In response to reporting of a crime the A&M-SA PD will take the following actions as necessary:

- Dispatch police, fire and/or medical assistance as needed to the scene of the incident; if it is a non-emergency ask the victim to report the incident at the A&M-SA PD office;
- Investigate or assist allied agencies with the situation;
- Take appropriate actions to identify, apprehend and submit for prosecution to the courts, the responsible person(s);
- Notify or request assistance from other law enforcement agencies and/or other allied agencies as appropriate;
- Document occurrences or take appropriate action and/or notify appropriate agency/departments;
- All student-related A&M-SA PD incidents are forwarded to the Office of Student Affairs for review and potential disciplinary action. A&M-SA PD will investigate a report when it is deemed appropriate. Additional information obtained during the investigation also will be forwarded to the Office of Student Affairs.

Incidents that may or may not be crimes should be reported to any Campus Security Authority. At Texas A&M University-San Antonio this includes the Office of Student Affairs. Crimes reported will be listed in the appropriate categories in the Clery Compliance Report.

**Texas A&M University-San Antonio Brooks City-Base Campus**
2601 Bauer Drive, San Antonio, TX, 78235

Faculty, staff, students or third parties observing criminal activities, other emergencies or non-emergencies occurring at Brooks City-Base should contact A&M-SA PD at (210) 784-1900 (non-emergencies) or (210) 784-1911 (emergencies).

**Campus Security Authority**

Although the reporting of criminal activity directly to the A&M-SA PD is encouraged, crimes may also be reported to Campus Security Authorities (CSA). CSAs are University officials who have responsibility for campus security or who have significant responsibility for student and campus activities. Campus Security Authorities are responsible for forwarding non-identifying information to the A&M-SA PD for inclusion in the annual security report, regardless of whether or not the victim chooses to file a report with law enforcement or press charges. As defined under the Clery Act, CSAs include college deans and assistant deans, resident deans and assistant resident deans, athletic directors and assistant directors,
athletic team coaches, faculty advisors to student groups, and campus staff involved in disciplinary and judicial proceedings. Please be aware that information forwarded by CSAs is for statistical purposes only.

When a CSA is notified of a crime or an incident that may be a crime, and there is little or no reason to doubt the validity of the information, the CSA must record the information on a Crime Statistic Report Form and submit the report to the A&M-SA PD in a timely manner to determine if a timely warning should be issued or not.

Pastoral and Professional Counselors
As a result of the negotiated rulemaking process which was followed by the passage of the law, the 1998 amendments to 20 U.S.C. Section 1092 (f) clarified the identity of those considered to be campus security authorities. Campus “Pastoral Counselors” and “Professional Counselors,” when acting as such are not considered to be a Campus Security Authority (CSA) and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of common practice, counselors are encouraged; if they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary, confidential basis for inclusion into the annual crime statistics.

All reported crimes will be taken seriously even if anonymous or reported confidentially. Crimes occurring off campus should be immediately reported to the appropriate law enforcement agency.

Security and Access to Campus Buildings and Grounds
During business hours, the University will be open to students, parents, employees, contractors, guests and invitees. During non-business hours, access to all University facilities is by admittance via the A&M-SA PD. The hours below are when classes are in session.

- **Main Campus**
  - Monday through Saturday: 7 a.m. to 10 p.m.
  - Sunday: 1 to 9 p.m.
- **Brooks City-Base Campus**
  - Monday through Saturday: 7 a.m. to 10 p.m.
  - Sunday: 1 to 9 p.m.
- **Education and Cultural Arts Center**
  - Tuesdays: 10 a.m. to 9 p.m.
  - Wednesday through Sunday: 10 a.m. to 5 p.m.
  - Monday: Closed

University buildings and grounds are inspected and maintained with concern for security and safety (e.g. broken windows, properly functionality of building locks, etc.). The A&M-SA PD also receives information from the campus community regarding damaged roadways, overgrowth of shrubbery and other areas in need of repair. This information is forwarded to Facilities Services in a timely manner. Anyone aware of a hazardous situation in any building or on the campus grounds should notify facilities at (210) 784-2100 or A&M-SA PD at (210) 784-1900 so repairs can be made promptly. At this time, Texas A&M University-San Antonio does not provide on-campus housing and there are no off-campus locations for student organizations.

Certain doors on the Main Campus have been identified as “late hour entry” and are equipped with our security card reader system. Swipe your ID card on the card reader and the door will open if you have proper clearance.

Security Awareness Programs
During orientation activities held for new students, students are informed of services offered by the A&M-SA PD. A crime prevention table is set before each orientation to hand out brochures, and discuss security, safety and recent crime on campus. Similar information is presented to new employees. The Annual Security Report detailing crime statistics and recommended practices for personal safety is made available at this time. Each year, the Annual Security Report is published and the campus community is notified through email. Periodically during the academic year, the
A&M-SA PD, in cooperation with other University organizations and departments, presents crime prevention awareness sessions on such topics as sexual assault (rape and acquaintance rape), drug and alcohol use, theft, vandalism and personal safety.

A common theme of the awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own safety and to be concerned for the safety of others.

**University Policies and Procedures**

**Violence in the Workplace**

Texas A&M University-San Antonio will adhere to a “zero tolerance” of violation of the law and of violence in the workplace. A&M-SA PD will investigate complaints of threats or intimidation and the University will take disciplinary action when employees demonstrate any behavior which, in management’s opinion, constitutes a potentially violent situation. This policy extends to persons connected with University business, including vendors or others who interact with University employees. A climate of fear or intimidation will not be tolerated at Texas A&M University-San Antonio. Threatening behaviors, acts of aggression and violence will result in appropriate action by the University, up to and including dismissal. Student misconduct will be handled in accordance with the student code of conduct and/or applicable state or federal laws.

**VAWA-Violence Against Women Reauthorization Act of 2013**

**Sexual Assault, Stalking, Domestic and Dating Violence**

Texas A&M University-San Antonio (A&M-SA) does not discriminate on the basis of sex in its educational programs and sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not and include dating violence, domestic violence, and stalking. As a result, A&M-SA issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a University official. In this context, A&M-SA prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the university community.

For a complete copy of A&M-SA’s policy governing sexual misconduct, visit [http://www.tamusa.edu/humanresources/eeo.html](http://www.tamusa.edu/humanresources/eeo.html).

The University’s Title IX Coordinator is Jacquelyn Jimenez and may be contacted by calling (210) 784-1179, in person by visiting One University Way, Central Academic Building, Suite 324, San Antonio, TX 78224 or by email at Jacquelyn.Jimenez@tamusa.tamus.edu.

**Federal Clery Act Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking**

The Clery Act defines the crimes of domestic violence, dating violence, sexual assault and stalking as follows:

- **Domestic Violence:**
  1. A Felony or misdemeanor crime of violence committed—
     a) By a current or former spouse or intimate partner of the victim;
     b) By a person with whom the victim shares a child in common;
     c) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
     d) 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
     e) 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.
2. For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

- **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.
  1. The existence of such a relationship shall be 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.
  2. For the purposes of this definition—
     a) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
     b) Dating violence does not include acts covered under the definition of domestic violence.
  3. For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

- **Sexual Assault**: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is “any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.”
  1. Rape is defined as 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.
  2. Fondling is defined as the touching of the private parts of another person for the purposes 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.
  3. Incest is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  4. Statutory Rape is defined as sexual intercourse with a person who is under the statutory age of consent.

- **Stalking**: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
  1. Fear for the person’s safety or the safety of others; or
  2. Suffer substantial emotional distress.
  2. For the purposes of this definition—
     a) Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surfeits, threatens, or communicates to or about, a person, or interferes with a person’s property.
     b) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
     c) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
  3. For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

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

In Texas Statutes defines:

“Family Violence” (domestic violence) Family Code Sec. 71.004.

(1) an act by a member of a family or household against another member of
(2) 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;
(3) abuse, as that term is defined by Sections 261.001(1)(C), (E), and (G), by a member of a family or household toward a child of the family or household; or
(4) dating violence, as that term is defined by Section 71.0021.
"Dating Violence" Family Code Sec. 71.0021.
(a) "Dating violence" means an act, other than a defensive measure to protect oneself, by an actor that:
(1) is committed against a victim:
(A) with whom the actor has or has had a dating relationship; or
(B) because of the victim's marriage to or dating relationship with an individual with whom the actor is or has been in a
dating relationship or marriage; and
(2) is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places
the victim in fear of imminent physical harm, bodily injury, assault, or sexual assault.
(b) For purposes of this title, "dating relationship" means a relationship between individuals who have or have had a
continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based
on consideration of:
(1) the length of the relationship;
(2) the nature of the relationship; and
(3) the frequency and type of interaction between the persons involved in the relationship.
(c) A casual acquaintance or ordinary fraternization in a business or social context does not constitute a "dating
relationship" under Subsection (b).
"Sexual Assault" Penal Code Sec. 22.011.
(a) A person commits an offense if the person:
(1) 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) intentionally or knowingly:
(A) causes the penetration of the anus or sexual organ of a child by any means;
(B) causes the penetration of the mouth of a child by the sexual organ of the actor;
(C) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person,
including the actor;
(D) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or
(E) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor.
(b) A sexual assault under Subsection (a)(1) is "Without the Consent" of the other person if:
(1) the actor compels the other person to submit or participate by the use of physical force or violence;
(2) the actor compels the other person to submit or participate by threatening to use force or violence against the other
person, and the other person believes that the actor has the present ability to execute the threat;
(3) the other person has not consented and the actor knows the other person is unconscious or physically unable to
resist;
(4) the actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault
incapable either of appraising the nature of the act or of resisting it;
(5) the other person has not consented and the actor knows the other person is unaware that the sexual assault is
occurring;
(6) the actor has intentionally impaired the other person's power to appraise or control the other person's conduct by
administering any substance without the other person's knowledge;
(7) the actor compels the other person to submit or participate by threatening to use force or violence against any
person, and the other person believes that the actor has the ability to execute the threat;
(8) the actor is a public servant who coerces the other person to submit or participate;
(9) the actor is a mental health services provider or a health care services provider who causes the other person, who is
patient or former patient of the actor, to submit or participate by exploiting the other person's emotional
dependency on the actor;
(10) the actor is a clergyman who causes the other person to submit or participate by exploiting the other person's
emotional dependency on the clergyman in the clergyman's professional character as spiritual adviser; or
(11) the actor is an employee of a facility where the other person is a resident, unless the employee and resident are formally or informally married to each other under Chapter 2, Family Code.

(c) In this section:
(1) "Child" means a person younger than 17 years of age.
(2) "Spouse" means a person who is legally married to another.
(3) "Health care services provider" means:
(A) a physician licensed under Subtitle B, Title 3, Occupations Code;
(B) a chiropractor licensed under Chapter 201, Occupations Code;
(C) a physical therapist licensed under Chapter 453, Occupations Code;
(D) a physician assistant licensed under Chapter 204 Occupations Code; or
(E) a registered nurse, a vocational nurse, or an advanced practice nurse licensed under Chapter 301, Occupations Code.
(4) "Mental health services provider" means an individual, licensed or unlicensed, who performs or purports to perform mental health services, including a:
(A) licensed social worker as defined by Section 505.002, Occupations Code;
(B) chemical dependency counselor as defined by Section 504.001, Occupations Code;
(C) licensed professional counselor as defined by Section 503.002, Occupations Code;
(D) licensed marriage and family therapist as defined by Section 502.002, Occupations Code;
(E) member of the clergy;
(F) psychologist offering psychological services as defined by Section 501.003, Occupations Code; or
(G) special officer for mental health assignment certified under Section 1701.404, Occupations Code.
(5) "Employee of a facility" means a person who is an employee of a facility defined by Section 250.001, Health and Safety Code, or any other person who provides services for a facility for compensation, including a contract laborer.
(d) It is a defense to prosecution under Subsection (a)(2) that the conduct consisted of medical care for the child and did not include any contact between the anus or sexual organ of the child and the mouth, anus, or sexual organ of the actor or a third party.
(e) It is an affirmative defense to prosecution under Subsection (a)(2):
(1) that the actor was the spouse of the child at the time of the offense; or
(2) that:
(A) the actor was not more than three years older than the victim and at the time of the offense:
(i) was not required under Chapter 62, Code of Criminal Procedure, to register for life as a sex offender; or
(ii) was not a person who under Chapter 62, Code of Criminal Procedure, had a reportable conviction or adjudication for an offense under this section; and
(B) the victim:
(i) was a child of 14 years of age or older; and
(ii) was not a person whom the actor was prohibited from marrying or purporting to marry or with whom the actor was prohibited from living under the appearance of being married under Section 25.01.
(f) An offense under this section is a felony of the second degree, except that an offense under this section is a felony of the first degree if the victim was a person whom the actor was prohibited from marrying or purporting to marry or with whom the actor was prohibited from living under the appearance of being married under Section 25.01.
"Consent" means assent in fact, whether express or apparent. Texas Penal Code Section 1.07(a)11  Texas law defines "Stalking" Penal Code Sec. 42.072.
(a) A person commits an offense if the person, on more than one occasion and pursuant to the same scheme or course of conduct that is directed specifically at another person, knowingly engages in conduct that:
(1) constitutes an offense under Section 42.07, or that the actor knows or reasonably should know the other person will regard as threatening:
(A) bodily injury or death for the other person;
(B) bodily injury or death for a member of the other person's family or household or for an individual with whom the other person has a dating relationship; or
(C) that an offense will be committed against the other person's property;
(2) causes the other person, a member of the other person's family or household, or an individual with whom the other person has a dating relationship to be placed in fear of bodily injury or death or in fear that an offense will be committed against the other person's property, or to feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended; and

(3) would cause a reasonable person to:
(A) fear bodily injury or death for himself or herself;
(B) fear bodily injury or death for a member of the person's family or household or for an individual with whom the person has a dating relationship;
(C) fear that an offense will be committed against the person's property; or
(D) feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended.

(b) An offense under this section is a felony of the third degree, except that the offense is a felony of the second degree if the actor has previously been convicted of an offense under this section or of an offense under any of the following laws that contains elements that are substantially similar to the elements of an offense under this section:
(1) the laws of another state;
(2) the laws of a federally recognized Indian tribe;
(3) the laws of a territory of the United States; or
(4) federal law.

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

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

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

How to Be an Active Bystander
Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.”

We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. Further information regarding bystander intervention may be found at Student Counseling & Wellness Services. If you or someone else is in immediate danger, dial 911 or (210)784-1911 on your cell if you're on campus. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

1) Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
2) Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
3) Speak up when someone discusses plans to take sexual advantage of another person.
4) Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5) Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.
Risk Reduction
With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one’s risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, www.rainn.org).

1) Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2) Try to avoid isolated areas. It is more difficult to get help if no one is around.
3) Walk with purpose. Even if you don’t know where you are going, act like you do.
4) Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn’t the best place to be.
5) Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
6) Make sure your cell phone is with you and charged and that you have cab money.
7) Don’t allow yourself to be isolated with someone you don’t trust or someone you don’t know.
8) Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
9) When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10) Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911). When on campus dial 911 on campus phones and (210)784-1911 on your cell phone.
11) Don’t leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you’ve left your drink alone, just get a new one.
12) Don’t accept drinks from people you don’t know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don’t drink from the punch bowls or other large, common open containers.
13) Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they’ve had, or is acting out of character, get him or her to a safe place immediately.
14) If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911). When on campus dial 911 on campus phones and (210)784-1911 on your cell phone.
15) Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
16) If you need to get out of an uncomfortable or scary situation here are some things that you can try:
   a. Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
   b. Be true to yourself. Don’t feel obligated to do anything you don’t want to do. "I don’t want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
   c. Have a code word with your friends or family so that if you don’t feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
   d. 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. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
17) Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
18) If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

Programs to Prevent Domestic Violence, Dating Violence, Sexual Assault and Stalking
The University engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:
1) Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
2) Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and that:

**Primary Prevention and Awareness Programs**

The University offered the following primary prevention and awareness programs for all incoming students in 2014:

<table>
<thead>
<tr>
<th>Name of Program</th>
<th>Date Held</th>
<th>Location Held</th>
<th>Which Prohibited Behavior Covered</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clothesline Project T-Shirt Party</td>
<td>04/16/2014</td>
<td>Madla 337</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Clothesline Project T-Shirt Party</td>
<td>04/22/2014</td>
<td>Brooks, Rm 149</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Bystander Education</td>
<td>10/9/2014</td>
<td>Madla 306</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Rape Aggression Defense</td>
<td>Fall and Spring</td>
<td>Main campus and Brooks campus</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Safety Begins w/You</td>
<td>Fall and Spring</td>
<td>Main campus and Brooks campus</td>
<td>DoV, DaV, SA, S</td>
</tr>
</tbody>
</table>

- DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

The University offered the following primary prevention and awareness programs for all new employees in 2014:

<table>
<thead>
<tr>
<th>Name of Program</th>
<th>Date Held</th>
<th>Location Held</th>
<th>Which Prohibited Behavior Covered</th>
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<tbody>
<tr>
<td>Creating a Discrimination Free Workplace</td>
<td>Upon hire and every two years thereafter</td>
<td>Online training</td>
<td>Discrimination, sexual harassment, retaliation, improper consensual relationships, child abuse and neglect</td>
</tr>
<tr>
<td>What is Title IX?</td>
<td>Handed out upon hire and available in departments across campus</td>
<td>Brochure</td>
<td>Sexual harassment and description of consent</td>
</tr>
<tr>
<td>Orientation to the A&amp;M System</td>
<td>Upon hire</td>
<td>Online training</td>
<td>Sexual harassment and drug and alcohol abuse</td>
</tr>
<tr>
<td>The Clery Act</td>
<td>Upon identification of a Campus Security Authority</td>
<td>Online training</td>
<td>Sexual harassment, retaliation, etc.</td>
</tr>
<tr>
<td>Rape Aggression Defense</td>
<td>Fall and Spring</td>
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<td>DoV, DaV, SA, S</td>
</tr>
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### Ongoing Prevention and Awareness Campaigns

The University offered the following ongoing awareness and prevention programs for students in 2014:

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<th>Name of Program</th>
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<th>Location Held</th>
<th>Which Prohibited Behavior Covered</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sexual Assault Advocacy Information</td>
<td>Ongoing</td>
<td>Student Counseling Services Website under services</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Bexar County Family Justice Center Brochure</td>
<td>Ongoing</td>
<td>Student Counseling Services, CAB, suite 210</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Texas Association Against Sexual Assault Brochures</td>
<td>Ongoing</td>
<td>Student Counseling Services, CAB, Suite 210 Student Affairs Suite, Madla 312</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Crime Prevention Tables</td>
<td>10-22-14</td>
<td>CAB Foyer Madla Rose Garden</td>
<td>DoV, SA</td>
</tr>
<tr>
<td></td>
<td>10-31-14</td>
<td></td>
<td></td>
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- DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

The University offered the following ongoing awareness and prevention programs for employees in 2014:

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<tr>
<td></td>
<td>10-31-14</td>
<td></td>
<td></td>
</tr>
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</table>

Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs

The University has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. The University will make such accommodations, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to A&M-SA PD or local law enforcement. Students and employees should contact A&M-SA PD for Non- Emergencies (210) 784-1900/For Emergencies Only (210) 784-1911.
After an incident of sexual assault, dating violence or domestic violence, the victim should consider seeking medical attention as soon as possible to the closest hospital. In case of a sexual assault you should go to the Methodist Specialty and Transplant Hospital, 8026 Floyd Curl Drive, San Antonio Texas 78229, Phone Number, (210) 575-8168. For Children and Adolescents under the age of 17, The Children’s Hospital of San Antonio, 333 N Santa Rosa, San Antonio, Texas, 78207, Phone Number (210) 704-2190 so evidence may be collected even if you chose not to make a report to law enforcement. In Texas, evidence may be collected even if you chose not to make a report to law enforcement. A&M-SA PD can collect evidence for “Safekeeping” in accordance with A&M System Regulation 61.99.01 Retention of State Records. In addition, the victim has the option to use a pseudonym as defined in CCP Art. 57.01. If the victim chooses a pseudonym, the reporting officer will provide the victim with a form titled, "Pseudonym for Sexual Assault Survivors" as required by CCP, Art. 57.02.

The sexual assault response team at Methodist Specialty and Transplant Hospital provides a compassionate environment for sexual assault survivors ages 13 and up. Through an exclusive agreement with local law enforcement agencies, a sexual assault nurse examiner trained by the Texas Attorney General’s office provides comprehensive care to sexual assault survivors and collects physical evidence that can be used to prosecute offenders. Follow-up care, counseling and treatment of related injuries are also provided. A chaplain and advocate from the rape crisis center provide counseling and support to the survivor and family.

It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infections. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to University adjudicators/investigators or police.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with A&M-SAPD or other law enforcement to preserve evidence in the event that the victim decides to report the incident to law enforcement or the University at a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

Involvement of Law Enforcement and Campus Authorities
If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator (Jacquelyn N. Jimenez, Title IX Coordinator, Central Academic Building Room435C: One University Way, San Antonio, TX 78224, Email: Jacquelyn.Jimenez@tamusa.tamus.edu, (210) 784-1179. It is the victim’s choice whether or not to make such a report to A&M-SAPD. Furthermore, victims have the right to decline to notify law enforcement. However, the University will assist any victim with notifying law enforcement if the victim so desires. Student Counseling & Wellness Services at (210) 784-133, any Campus Security Authority, or the Title IX Coordinator Jacquelyn Jimenez at (210) 784-1179 can provide assistance. You may also find the Community Emergency Resources useful.

Texas A&M-San Antonio Police Department may also be reached directly by calling (210) 784-1900, in person at One University Way, Frank Madla Building, suite 120. You also contact the Crime Victim Liaison/Crime Prevention Officer at (210) 784-1906. The Police Department’s website is found online at: http://www.tamusa.edu/upd/index.html.
Reporting Incidents of Domestic Violence, Dating Violence, Sexual Assault and Stalking

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator (Jacquelyn N. Jimenez, Title IX Coordinator, Central Academic Building Room 435C: One University Way, San Antonio, TX 78224, Email: Jacquelyn.Jimenez@tamusa.tamus.edu, (210) 784-1179) by calling, writing or coming into the office to report in person and A&M-SAPD (if the victim desires). Reports of all domestic violence, dating violence, sexual assault and stalking made to University Police will automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant choses to pursue criminal charges.

Procedures the University Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking is Reported The University has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing (no student housing at this time), academic, transportation and working accommodations, if reasonably available. The University will make such accommodations, if the victim requests them and if they are reasonable available, regardless of whether the victim chooses to report the crime to the University Police or local law enforcement. Students and employees should contact Student Rights and Responsibilities at 210-784-1307. If a report of domestic violence, dating violence, sexual assault or stalking is reported to the University, below are the procedures that the University will follow using preponderance of the evidence standard:

Standard of Evidence
Preponderance of the evidence is the standard for determining allegations of domestic violence, dating violence, sexual assault, or stalking for the University. Preponderance of the evidence is satisfied if the action is more likely to have occurred than not.

University disciplinary proceedings for cases involving misconduct are detailed in the Student Handbook under The Student Code of Conduct. The code provides disciplinary proceeding guidelines for students and hearings. A student found responsible for a domestic violence, dating violence, sexual assault, or stalking could be prosecuted in state court, and also have action taken by the University.

If a report of domestic violence, dating violence, sexual assault, or stalking is reported to the University, the below are the procedures that the University will be following.

Sexual Assault:
1) Depending on when reported (immediate vs delayed report), institution will provide complainant with access to medical care
2) Institution will assess immediate safety needs of complainant
3) Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department
4) Institution will provide complainant with referrals to on and off campus mental health providers
5) Institution will assess need to implement interim or long-term protective measures, if appropriate
6) Institution will provide the victim with a written explanation of the victim’s rights and options
7) Institution will provide a Criminal Trespass Warning to accused party if deemed appropriate
8) Institution will provide written instructions on how to apply for Protective Order
9) Institution will provide a copy of the policy applicable to Sexual Assault to the complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution
10) Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is
11) Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation

Stalking:
1) Institution will assess immediate safety needs of complainant
2) Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department 3) Institution will provide written instructions on how to apply for Protective Order 4) Institution will provide written information to complainant on how to preserve evidence 5) Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate 6) Institution will provide the victim with a written explanation of the victim’s rights and options 7) Institution will provide a Criminal Trespass Warning to accused party if deemed appropriate

Dating Violence:
1) Institution will assess immediate safety needs of complainant 2) Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department 3) Institution will provide written instructions on how to apply for Protective Order 4) Institution will provide written information to complainant on how to preserve evidence 5) Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate 6) Institution will provide the victim with a written explanation of the victim’s rights and options 7) Institution will provide a Criminal Trespass Warning to accused party if deemed appropriate

Domestic Violence:
1) Institution will assess immediate safety needs of complainant 2) Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department 3) Institution will provide written instructions on how to apply for Protective Order 4) Institution will provide written information to complainant on how to preserve evidence 5) Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate 6) Institution will provide the victim with a written explanation of the victim’s rights and options 7) Institution will provide a Criminal Trespass Warning to accused party if deemed appropriate

Assistance for Victims: Rights & Options
Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the university will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options.

According to Texas State Law a victim of crime is defined by Chapter 56 of the Code of Criminal Procedure, as (1) someone who is the victim of sexual assault, kidnapping, or aggravated robbery or who has suffered bodily injury or death because of the criminal conduct of another, (2) the close relative (spouse, parent, adult brother or sister, or child) of a deceased victim or (3) the guardian of a victim. The law also applies to victims of juvenile crime, including victims who suffer property loss.

The State of Texas intends that victims of crime receive the following safeguards, assurances and considerations:

- Receive adequate protection from harm and threats of harm arising from cooperation
- with prosecution efforts;
- have their safety considered by the magistrate when setting bail;
- receive information, on request, of relevant court proceedings, including appellate proceedings, of cancellations and rescheduling prior to the event, and appellate court decisions after the decisions are entered but before they are made public;
- be informed, when requested, by a peace officer about the defendant’s right to bail and criminal investigation procedures, and from the prosecutor’s office about general procedures in the criminal justice system, including plea agreements, restitution, appeals and parole;
• provide pertinent information concerning the impact of the crime to the probation department prior to sentencing;
• information about the Texas Crime Victims’ Compensation Fund and payment for a medical examination for a victim of sexual assault, and, on request, referral to social service agencies that provide additional assistance;
• information, on request, about parole procedures; notification of parole proceedings and of the inmate’s release; and the opportunity to participate in the parole process by submitting written information to the Board of Pardons and Paroles for inclusion in the defendant’s file for consideration by the Board prior to parole;
• a separate or secure waiting area at all public court proceedings;
• prompt return of any property that is no longer needed as evidence;
• have the prosecutor notify, upon request, an employer that the need for the victim’s testimony may involve the victim’s absence from work;
• on request, counseling and testing regarding AIDS and HIV infection and testing for victims of sexual assault
• request victim-offender mediation coordinated by the Victim Services Division of the Texas Department of Criminal Justice;
• be informed of the use and purpose of a victim impact statement, to complete a victim impact statement and to have the statement considered before sentencing and acceptance of a plea bargain and before an inmate is released on parole.

A victim, guardian of a victim, or close relative of a deceased victim may be present at all public court proceedings, with the consent of the presiding judge;
A judge, attorney for the state, peace officer, or law enforcement agency is not liable for a failure or inability to provide a service enumerated herein.
Victims should also know that they can have a victim advocate accompany them during the sexual assault exam if an advocate is available at the time of the examination.
The University will provide written notification to students and employees about existing: counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims, both on campus and off campus and in the community.

Please call A&M-SAPD crime victim liaison officer at (210) 784-1906, Student Counseling Services at (210) 784-1331, University’s Title IX Coordinator (210) 784-1179 or the Bexar County Family Justice Center at (210) 208-6800/ http://www.bcfjc.org/Legal.html office for more information about victim services in your community.

Protective & No Contact Orders
Victims of sexual assault, domestic and dating violence, and stalking are eligible to apply for protective orders and/or no-contact orders or similar lawful orders issued by a criminal, civil, or tribal court and/or the Office of Student Engagement and Success. Standard Protective Orders may prohibit the offender from committing further acts of family violence; or harassing or threatening the victim, either directly or indirectly by communicating the threat through another person. No-Contact Orders are court orders or administrative orders that prohibit someone from contacting another person in any way. Texas law provides for the criminal enforcement of valid protective orders issued by a Texas court as well as valid out of state protective orders. For more information on protective orders, contact the University Police Department at (210) 784-1900 or the Bexar County Family Justice Center at (210) 208-6800 or http://www.bcfjc.org/Legal.html.

A&M-SA complies with Texas law in recognizing orders of protection (Protective Orders). Any person who obtains a Protective Order from Texas, any state, U.S. Territory, or U.S. Military Protective Order shall provide a copy to A&M-SA PD and should provide a copy to the Office of the Title IX Coordinator. A complainant may then meet with A&M-SA PD to develop a Safety Action Plan, which is a plan for A&M-SA PD and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location or allowing a student to complete assignments from home, etc.) The University cannot apply for a legal order of protection, no contact order, or restraining order for a victim from the applicable jurisdiction(s).
The victim is required to apply directly for these services. A Magistrate's Order for Emergency Protection may be issued at the time of a defendant's appearance before a magistrate after arrest for an offense involving domestic violence, dating violence, sexual assault, human trafficking or stalking. Applications are available through the Bexar County Family Justice Center, 1123 N Main Ave, Suite 100, San Antonio Texas 78212; Phone number (210) 631-0100.

The University may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. Upon the victim’s request and to the extent of the victim’s cooperation and consent, university offices will work cooperatively to assist the victim with their health, physical safety, work and academic status, pending the outcome of a formal university investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic, living, working or transportation situations regardless of whether the victim chooses to report the crime to A&M-SA PD or local law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Potential changes to living situations may include moving to a different room or residence hall (no student housing at this time). Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student park in a different location, assisting the student with a safety escort, etc. To the extent possible, A&M-SA will also provide assistance with and/or information about obtaining resources and services such counseling, health services, visa and immigration assistance and assistance in notifying appropriate local law enforcement.

Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant (for example, publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim, as defined in 42 USC 1395 (a) (20).) Further, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The University does not publish the name of crime victims nor house identifiable information regarding victims in the A&M-SA PD Daily Crime Log or online. Victims may request that directory information on file be removed from public sources by request to the Office of the Registrar (210-784-1300) and complete a Request to Restrict Directory Information Form.

Law Enforcement Training
Texas A&M University-San Antonio police officers attend the Sexual Assault Family Violence Investigators Course (SAFVIC). This course is specifically designed to provide law enforcement officers with the tools they need to effectively investigate and prevent sexual assault and family violence. The curriculum covers crucial aspects for law enforcement’s response to these crimes, as well as the creation and use of community-based resources to assist law enforcement’s efforts.

On/Off Campus Services
Information for various services can be found below:
TAMU-SA Student Counseling Services, Main Campus – CAB #210, Brooks City-Base #148 (210) 784-1331
Rape Crisis Center (210) 521-7237
The Bexar County Family Justice Center (210) 208-0100
http:www.rainn.org – Rape, Abuse and Incest National Network (800) 656-4673
Center for Health Care Services Crisis # (210) 223-7233
Sexual Assault Legal Services (888) 343-4414
Battered Women’s Shelter (210) 733-8810
VINE (Victim Information and Notification Everyday) Bexar County Sherriff’s, Office: (210) 226-6010
International Affairs (210) 784-1309
U.S. Immigration http://www.us-immigration.com/ 8940 Fourwinds Drive, San Antonio, TX 78239
If requested, these departments will assist the victim in contacting the University Police Department. The University Police Department is available to all victims to provide information about personal safety, Texas Crime Victims’ Rights, Texas Crime Victims Compensation Fund and other related information upon request. Reports of sexual assault, domestic and dating violence, and stalking can also be made to:

- San Antonio Police Department (210) 207-7273
- Bexar County Sheriff’s Office (210) 335-6000

A&M-SA PD or Campus Security Authorities will assist the victim in contacting these agencies, if requested. Student victims of sexual violence can also contact the Title IX Coordinator at (210) 784-1179.

**Victim or Witness Voluntary/Confidential Reporting**

If you are the victim or witness of a crime and do not want to pursue action within the University disciplinary system or the criminal justice system, you may still want to consider making a confidential report. With your permission, the chief or a designee of A&M-SA PD can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the University can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution.

Victims may request that directory information on file with the University be withheld by request by the Registrar’s Office at 210-784-1300, Request to Restrict Directory Information.

Regardless of whether a victim has opted-out of allowing the University to share “directory information,” personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know, i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures. By only sharing personally identifiable information with individuals on a need-to-know basis, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

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

**Disciplinary Actions**

The university’s disciplinary process includes a prompt, fair, and impartial investigation and resolution process. In all instances, the process will be conducted in a manner that is consistent with the institution’s policy and that is transparent to the accuser and the accused. Usually, the resolution of domestic violence, dating violence, sexual assault and stalking complaints are completed within 60 days of the report. However, each proceeding allows for extensions of time-frames for good cause with written notice to the accuser and the accused of the delay and the reason for the delay. University officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault and stalking complaints are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking as well as how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. Furthermore, each policy provides that:

1) The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present;
2) The accuser, the accused and appropriate officials will have timely and equal access to any information that will be used during formal and informal disciplinary meeting and hearings;
3) The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused;
4) The accuser and the accused will have the same opportunities to have others present during any institutional disciplinary proceeding. The accuser and the accused each have the opportunity to be advised by an advisor of their choice at any stage of the process and to be accompanied by that advisor to any related meeting or proceeding. The University will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding. However, the selected advisor may not be an individual and/or student that may be charged as a result of the same or similar fact pattern or who is in good standing with the university. An advisor may only consult and advise his or her advisee, but not speak for the advisee at any meeting or hearing (the advisor may not present the case, question relevant parties, or make statements during the proceedings). Request for an advisor to be present must be done so in writing a minimum of three (3) business days before the scheduled hearing;
5) The student conduct decision is based on the preponderance of evidence standard.
6) The accuser and the accused will be notified simultaneously, in writing, of the any initial, interim and final decision of any disciplinary proceeding; and
7) Where an appeal is permitted under the applicable policy, the accuser and the accused will be notified simultaneously in writing, of the procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding. When an appeal is filed, the accuser and the accused will be notified simultaneously in writing of any change to the result prior to the time that it becomes final as well as of the final result once the appeal is resolved. They may appeal the outcome of the hearing by submitting a formal request to the Director of the Office of Student Rights and Responsibilities with five (5) university business day from the date of the decision.

Whether or not criminal charges are filed, the university or a person may file a complaint under the following policies, depending upon the status of the accused (student or employee):

Types of Disciplinary Proceedings Utilized in Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault and Stalking

Students
A person alleging sexual assault, domestic violence, dating violence, or stalking may also utilize the complaint and investigatory procedures set forth in the university’s policy against Sexual Harassment located in the Student Handbook (Page 41-Student Code of Conduct, Article III, Q: Harassment) in order to remedy any hostile environment. All conduct proceedings against students, however, will be resolved through The Office of Student Rights and Responsibilities.

1) How to File a Disciplinary Complaint Under this Policy Location of Policy: Student Code of Conduct (Student Code of Conduct, Article IV: Disciplinary Proceeding, b. Disciplinary Procedures, Page 47). Any student whose conduct has been called into question by any member of the University community or who is alleged to have violated the Code of Conduct and/or any regulations of Texas A&M University-San Antonio or the Texas A&M University System will be notified of the charges by email as per the Student Handbook by the Office of Student Rights and Responsibilities. Students at any time may request the Student Code of Conduct to use as guidance or visit the Office of Rights and Responsibilities. The Vice President of Student Affairs or appointee may take immediate interim disciplinary action when he or she believes that the presence of a student on campus poses a continuing danger to persons or property or presents a threat of disrupting the academic process. An administrative hearing will be scheduled as soon thereafter as practical.

When a complaint is filed, the student or organization named in the complaint will be asked to appear before the Student Conduct Officer or designee who will conduct an investigative meeting to discuss the alleged violation(s) and possible sanction(s). The University will respond to complaints in a prompt and equitable manner. Resolution of
complaints will be completed within 60 business days from the date of the original complaint. Reasonable extensions can be made for extenuating circumstances and require the approval of the Assistant Vice President for Student Engagement and Success or designee.

2) Upon registration, students automatically become members of the University community and assume full responsibility for proper conduct until their separation from the institution. Misconduct at the University is not tolerated as it diminishes the overall value of the degrees awarded by Texas A&M University-San Antonio. All students at the University should be involved in assuring the honesty of all students through their own individual actions and deeds. Conduct standards at the University are set forth in writing in order to give students general notice of prohibited conduct. These rules should be read broadly and are not designed to define prohibited conduct in exhaustive terms. (Student Handbook, Student Code of Conduct, Pg. 33)

3) The Student conduct process can take up to approximately 2 weeks from Step 1 through Step 9(a). Steps 9b though 11 could take up to two additional weeks.

   Step 1: Alleged incident occurs and is reported in Advocate
   Step 2: The Office of Rights and Responsibilities (OSRR) Student Conduct Officer or representative reviews the Incident Report.
   Step 3(a): Student is notified of alleged charges
   Step 3(b): No charges are found; case closed
   Step 4: Student is requested to appear at a Student conduct Conference
   Step 5: Student conference is held
   Step 6: Deliberations begin
   Step 7(a): Student is found responsible move to step 8a
   Step 7(b): Student is found not responsible; move to step 8b
   Step 8(a): Student Conduct Officer or representative imposes student sanctions; move to step 9a or 9b
   Step 8(b): Student is notified; Case is closed; records are retained.
   Step 9(a): Student fulfills sanctions; Case is closed.
   Step 9(b): Student is not in agreement with sanctions and five business days to file an appeal to the Director of OSRR; move to step 10.
   Step 10: Director of OSRR reviews the appeal and makes a decision and the student is notified through theirs student email account.
   Step 11: Student is notified; case is closed; record is retained.

4) The University will respond to complaints in a prompt and equitable manner.
Resolution of complaints will be completed within 60 business days from the date of the original complaint. Reasonable extensions can be made for extenuating circumstances and require the approval of the Assistant Vice President for Student Engagement and Success or designee

5) Student Conduct Process
- Alleged Incident Occurs and is reported to the Office of Student Rights and Responsibilities through the online reporting system, Advocate
- The Office of Student Rights and Responsibilities reviews the incident report. The Vice President of Student Affairs or representative may take immediate disciplinary action when he/she believes that the presence of a student on campus poses a continuing danger to persons or property or presents a threat of disrupting the academic process. A hearing will be scheduled as soon thereafter as practical
- Student is notified of charges and is requested to appear for a student conduct conference meeting through the student’s jaguar email in a “Notice to Appear” Email. The meeting is to be at least one week after the “Notice to Appear” email is sent. The email includes a copy of the Student Right in a conduct process. If the student would like an Advisor to be present, the Office of Student Rights and Responsibilities must be notified within three business days of the set conference date.
- The Student Conduct Meeting is held. The Office of Student Rights and Responsibilities representative reads the student their rights in the Student conduct Process. The student initials the student Conduct Conference Summary sheet stating they understand the rights fully. Deliberations then begin.
- The student is found either Responsible or not responsible The student is notified by email in an Outcome Letter through their jaguar email account. If the student is found not responsible the conduct
case is closed and the record is retained with the Office of student rights and Responsibilities. If the student is found responsible the Office of student Rights and Responsibilities Representative will imposes student sanctions. Once the student fulfills the sanctions by the set date, then the case is closed and files are retained.

6) Each student subject to disciplinary action arising from violations of university student rules shall be assured a fundamentally fair process. At all student conduct hearings, an accused student shall be assumed not responsible until proven responsible by the preponderance of evidence standard, and, in initial student conduct hearings, the burden of proof shall rest with those bringing the charges. In all proceedings, the student shall be guaranteed a fundamentally fair process.

7) The standard of proof required at Texas A&M University-San Antonio in a University disciplinary case is a preponderance of the evidence. This simply means that the proof need only show that the facts are more likely to be so than not. A preponderance of the evidence in the case means such evidence as, when considered and compared with that opposed to it, has more convincing force and produces in the hearing officer’s mind the belief that what is sought is more likely true than not true. (Long, N.T., (1985). Journal of College and University Law, 12(1), 73-74). The standard of proof is intended to assure all concerned that the intensity of the hearing officer belief is uniform in all cases. If the student or student organization is found responsible, the student or student organization has five (5) University business days to submit in writing the intent to appeal the finding.

8) Possible Sanctions

Primary Sanctions

Expulsion: Permanent separation of the student from the University whereby the student is not eligible for readmission to this University.

Dismissal: Separation of the student from the University for an indefinite period of time. Readmission to the University may be possible in the future, but no specific time for a decision is established.

Suspension: Separation of the student from the University for a definite period of time. The student is not guaranteed readmission at the end of such period of time, but is guaranteed a review of the case and a decision regarding eligibility for readmission.

Banishment from Campus: In addition to being suspended or expelled from the University, the student is banned from entering the grounds and/or facilities owned, operated and/or maintained by the University. Entrance onto campus or into those facilities/areas will be viewed as a violation of this sanction and the student will be confronted and charged accordingly for trespassing and failure to comply.

Deferred Suspension: The sanction of suspension may be placed in deferred status. If the student is found in violation of any University rule during the time of deferred suspension, the suspension takes effect immediately without further review. Additional student conduct sanctions appropriate to the new violation also may be taken. A student who has been issued a deferred suspension sanction is deemed “not in good standing” with the University. A student who is not in good standing is subject to the following restrictions:

A. Ineligibility to hold an office in any student organization recognized by the University or to hold any elected or appointed position within the University.
B. Ineligibility to compete in intercollegiate athletic activity.
C. Ineligibility to represent the University in any capacity, including representing the University at any official function.
D. Ineligibility to receive a University-administered scholarship or fellowship when the sanction is in place for longer than one semester.

Conduct Probation: An official warning that the student’s conduct is in violation of Texas A&M University-San Antonio Student Rules, but is not sufficiently serious to warrant expulsion, dismissal or suspension. A student on conduct probation is deemed “not in good standing” with the University. This sanction includes the same restrictions listed under Deferred Suspension.

Conduct Review: An official warning that the student’s conduct is in violation of Texas A&M University-San Antonio Student Rules, but is not sufficiently serious to warrant expulsion, dismissal, suspension, or conduct probation. A student on conduct review shall have their conduct under review for a specified period of time. This sanction may require regular meetings with an appropriate official to ascertain and evaluate compliance with student rules. Additional restrictions or conditions also may be imposed, depending on the nature and
seriousness of the misconduct. Students placed on this sanction remain in good standing with the University. If there is a finding of responsibility for subsequent violations of the student rules during this period of time, more severe sanctions will be administered.

**Letter of Enrollment Block:** A letter stating that the student may not reenter Texas A&M University-San Antonio without prior approval through the Office of Student Rights and Responsibilities or Vice President for Student Affairs if enrollment has been blocked for a previous student conduct problem or for medical reasons.

**Letter of Reprimand:** A letter that makes a matter of record any incident that reflects unfavorably on the student or the University.

**Warning:** Admonition of a student for actions unbecoming to the university community; a hold will be placed on a student's University record while one or more of the following are pending disciplinary proceedings: expulsion, outstanding sanctions, dismissal, separation, suspension, campus banishment, deferred suspension, conduct probation, honor code review, and/or interim suspension.

**Secondary Sanctions**

**Community/University Service:** A student may be offered an opportunity to complete a specified number of hours of community/University service in lieu of other sanctions.

**Educational Requirements:** A provision to complete a specific educational requirement directly related to the violation committed. The provision will be clearly defined. Such educational requirements may include, but are not limited to, completion of an alcohol education workshop, a diversity awareness workshop, essays, reports, etc.

**Academic Sanctions:** Appropriate academic sanctions are based upon specifics of the incident. The provision will be clearly defined. Such academic requirements may include, but are not limited to, plagiarism coursework, educational workshop, etc.

**Restrictions:** The withdrawal of specified privileges for a definite period of time, but without the additional stipulations contained in the imposition of conduct probation. The restrictions involved will be clearly defined.

**Restitution:** A payment for financial injury to an innocent party in cases involving theft, destruction of property or deception. The assessed costs to be paid may be in addition to receipt of any of the above sanctions.

**Loss of Parking Privileges on Campus:** Revocation of campus vehicle registration, and forfeiture of permit and all refund rights to said permit.

9) **Range of Protective Measures Available to a Victim Alleging Misconduct.** Right to request transfer of classes or other steps to prevent unnecessary or unwanted contact or proximity to the accused, when such contact is likely to place an alleged victim in danger of bodily injury or cause the alleged victim severe emotional distress. (Student Code of Conduct, Article IV, C. Sexual Misconduct or Crimes of Violence, 6., Pg. 48)

**Employees**

The Texas A&M University System (TAMUS) develops policies and regulations that are to be followed by system members of which Texas A&M University-San Antonio is a member. TAMUS policy 08.01, Civil Rights Protections and Compliance [http://policies.tamus.edu/08-01.pdf](http://policies.tamus.edu/08-01.pdf), directs system members to strictly comply with all applicable legal requirements prohibiting discrimination, sexual harassment and/or related retaliation against employees, students, applicants for employment or admission, or the public. The policy outlines the civil rights protections provided by the system to employees, students, applicants for employment and admission, and the public, and sets forth procedures and responsibilities for compliance with applicable laws and regulations. This policy also requires that each member appoint a Title IX of the Education Amendments of 1972 Coordinator.

The TAMUS instituted Regulation 08.01.01, Civil Rights Compliance [http://policies.tamus.edu/08-01-01.pdf](http://policies.tamus.edu/08-01-01.pdf), which provides guidance in complying with local, state and federal civil rights laws and regulations. The regulation applies to complaints and/or appeals of employment or disciplinary actions made by faculty, administrators, staff, students and/or third parties alleging illegal discrimination, sexual harassment and/or related retaliation.

Texas A&M University-San Antonio instituted Procedure 08.01.01.O0.01, Civil Rights Compliance [http://www.tamusa.edu/uploadFile/folders/joe.delarosa/Pdf/Pdf-635290948946647750-10.100.150.124.pdf](http://www.tamusa.edu/uploadFile/folders/joe.delarosa/Pdf/Pdf-635290948946647750-10.100.150.124.pdf), which
establishes the procedures for making, receiving, and processing complaints of discrimination, sexual harassment and/or related retaliation.

TAMUS Regulation 08.01.01 http://policies.tamus.edu/08-01-01.pdf, defines confidential, consensual, consent, dating violence, domestic or family violence, hostile environment, quid pro quo sexual harassment, sexual assault, sexual exploitation, sexual harassment and stalking.

All employees are responsible for complying with state law requiring system training on equal opportunity and nondiscrimination within 30 days of hire and every two years thereafter.

1) How to File a Disciplinary Complaint Under this Policy Texas A&M University-San Antonio Procedure 08.01.01.O1.01, Civil Rights Compliance http://www.tamusa.tamus.edu/uploadFile/folders/joe.delarosa/Pdf/Pdf-635290948946647750-10.100.150.124.pdf, Subsection 3.1 states the following officials will have jurisdiction over the various types of complaints that may be filed by faculty, students, staff and third parties:

- The Provost and Vice President for Academic Affairs will oversee compliance and complaints related to this procedure for Faculty members.
- The Assistant Vice President for Student Engagement & Success will oversee compliance and complaints related to this procedure for Students.
- The Director of Human Resources will serve as the Title IX Coordinator.
- The Director of Human Resources will oversee compliance and complaints related to this procedure for Staff employees (non-faculty) and third parties. The Director of Human Resources will also serve as the university's EEO/Affirmative Action Coordinator and Section 504/ADA Coordinator for employees and third parties.
- The Director of Disability Support & Tutoring Services will serve as the Section 504/ADA Coordinator for Students.
- Any faculty, student, staff or third party who does not feel comfortable discussing the complaint with one of the officials described above may report it to another high-ranking official at TAMU-SA to include any university Vice President or the President. (1 Procedure 08.01.01.O0.01 Civil Rights Compliance will soon change to Rule 08.01.01.O1 Civil Rights Compliance in accordance with TAMUS requirements. Updates to content will also be forthcoming.)

The above identified officials will periodically follow up on situations in which illegal discrimination, sexual harassment and/or related retaliation is found to ensure that the situation does not reoccur. All employees are responsible for ensuring their work and educational environments are free from illegal discrimination, sexual harassment and/or related retaliation is experienced or observed by or made known to an employee, the employee is responsible for reporting that information to one of the above authorities.

Only certain employees may keep reports of violations of this regulation confidential: licensed health care personnel and licensed sexual assault advocates, when acting in this capacity as part of their official employment. All other employees informed of possible violations of the regulation should advise the reporter that they cannot keep the information confidential and are required to report it. The employee should inform the reporter where confidential guidance can be obtained, such as the student counseling center or employee assistance program. To the extent possible the member will protect the privacy of all parties to the report.

Procedure Subsection 3.2 indicates that any employee or student who believes that he or she has been subjected to discrimination, sexual harassment, and/or related retaliation should promptly report the incident(s) to his or her supervisor or one of the university officials listed in section 3.1. A third party (including, but not limited to, anyone receiving services from the university, vendors, and private business associates) should promptly report the incident(s) involving a university employee to the university’s Human Resources office. The supervisor or department will promptly notify the university’s Title IX Coordinator if the complaint alleges sexual harassment or another form of sex discrimination.
A complaint is filed by completing the complaint form attached to the procedure, or similar document, and delivering the form to the complainant’s supervisor or one of the university officials listed in section 3.1. The complaint form may include additional pages if more space is needed.

2) How the University Determines Whether This Policy will be Used If faculty, students, staff and/or third parties file a complaint alleging discrimination, sexual harassment and/or related retaliation, TAMUS policy 08.01, Civil Rights Protections and Compliance, TAMUS Regulation 08.01.01, Civil Rights Compliance, and TAMU-SA Procedure 08.01.01.00.01, Civil Rights Compliance, are followed (as stated above).

TAMUS Policy 32.01, Employee Complaint and Appeal Procedures, TAMUS Regulation 32.01.01, Complaint and Appeal Procedures for Faculty Members, TAMU-SA Procedure 32.01.01.00.01, Complaint and Appeal Procedure for Faculty Members, TAMUS Regulation 32.01.02, Complaint and Appeal Process for Nonfaculty employees, and TAMU-SA Rule 32.01.02.01, Complaint and Appeal Process for Non-faculty Employees, are followed as applicable when faculty, students, staff and/or third parties file a complaint that does NOT allege discrimination, sexual harassment and/or related retaliation.

When it is uncertain whether the complainant if alleging discrimination, sexual harassment and/or related retaliation, the university follows the 08.01 related policy/regulation/procedure.

3) TAMUS Policy 32.02, Discipline and Dismissal of Employees, states that TAMUS employees may be subject to discipline and/or dismissal in accordance with TAMUS policies and regulations. All non-faculty positions in TAMUS are “at will” and may be dismissed from employment with or without cause. Any such dismissal must be in compliance with federal and state law. Dismissal of a faculty member shall be in accordance with applicable TAMUS policies.

TAMUS Regulation 32.02.02, Discipline and Dismissal of Non-faculty Employees, and TAMU-SA Rule 32.02.0200.01 Discipline and Dismissal of Non-faculty Employees, establishes the basis and procedure for discipline or dismissal of a nonfaculty employee of the TAMUS however the regulation does not modify the “at will” status of any system non-faculty employee. Although the principle of progressive discipline found in the regulation is not required, it is encouraged as a good management practice when practical. Even if progressive discipline is chosen, not every step must be taken in each case. With progressive discipline, an employee faces increasingly stricter disciplinary measures if satisfactory improvement does not occur after the disciplinary process is initiated. Failure to follow procedures as outlines in the regulation will not create claims based on failure to meet standards of procedural due process. Failure by the university to follow the procedural steps outlines in the regulation will not form the basis of any employee’s appeal of termination. Acts that may result in disciplinary action or dismissal include, but are not limited to, inadequate job performance, inadequate job knowledge, misconduct, excessive absenteeism or unauthorized leave or absences. Supervisors can invoke the following types of discipline: verbal or written counseling, written reprimands, suspension without pay, transfer, demote, reduction in salary and/or dismissal. Employees may be suspended with pay by the CEO for up to 30 work days upon a finding that the suspension is in the best interests of the member or to investigate allegations against the employee. Additional time for the suspension beyond 30 days may be granted only by the CEO. Employees being dismissed are notified in writing. Employees being disciplined or dismissed may be required to make restitution for damages to property or equipment, for theft, for unauthorized purchases or payment of wages, for unauthorized travel expenses or for other illegal or
improper actions. If restitution is not made under the terms and conditions mandated, the employee may be subject to legal action and/or further discipline or dismissal.

4) Anticipated Timelines. Timelines vary in the disciplinary process and can be unique to each situation. However timelines exist for handling complaints as stated in TAMUS Regulation 08.01.01 http://policies.tamus.edu/08-01-01.pdf: An employee’s or student’s complaint or appeal alleging illegal discrimination, sexual harassment and/or related retaliation in connection with discipline and/or dismissal should be filed within 10 business days of the action that caused the complaint or it may be deemed untimely filed and dismissed. An employee’s or student’s complaint or appeal alleging illegal discrimination, sexual harassment and/or related retaliation unrelated to discipline and/or dismissal should be filed within 90 calendar days of the most recent incident or it may be deemed untimely filed and dismissed.

An investigative authority will review each report, complaint and/or appeal, interview witnesses (if applicable), review relevant documentation, and provide a draft report within 30 business days of receipt of the complaint. The TAMUS Office of General Council will review the draft report and provide legal review within 10 business days. The investigative authority will have five business days to finalize the report and submit the investigative report to the designated administrator, who will render a final decision on the merits of the complaint/appeal.

5) Decision-Making Process. The designated administrator will review the investigative report and render a decision in writing to the individual subjected to the alleged illegal discrimination, sexual harassment and/or related retaliation, respondent(s), the investigative authority and respondent’s supervisor and department head(s) within five business days after receiving the investigative authority’s report. Circumstances may warrant an extension of this time frame. The investigative report includes the report/complaint, witness interviews and relevant documentation.

6) Standard of Evidence. The designated administrator will review the investigative report and render a final decision regarding each of the allegations. The final decision for each allegation is based on whether there is evidence that supports each allegation. TAMUS Regulation 08.01.01 http://policies.tamus.edu/08-01-01.pdf, subsection 4.2.8 states “In all investigations and subsequent decisions, the standard used to determine the merits of the allegation(s) is the preponderance of the evidence, i.e., more likely than not.

7) Possible Sanctions. Supervisors can invoke the following types of discipline: verbal or written counseling, written reprimands, suspension without pay, transfer, demote, reduction in salary and/or dismissal. Employees may be suspended with pay by the CEO for up to 30 work days upon a finding that the suspension is in the best interests of the member or to investigate allegations against the employee. Additional time for the suspension beyond 30 days may be granted only by the CEO. Employees being dismissed are notified in writing. Employees being disciplined or dismissed may be required to make restitution for damages to property or equipment, for theft, for unauthorized purchases or payment of wages, for unauthorized travel expenses or for other illegal or improper actions. If restitution is not made under the terms and conditions mandated, the employee may be subject to legal action and/or further discipline or dismissal.

8) Range of Protective Measures Available to a Victim Alleging Misconduct. If protective measures are in the best interest of the alleged victim, the university may offer the following alternative options after being notified of the complaint: no-contact order, remote participation during hearings (telephone, videoconferencing, use of privacy screen, etc.), separate waiting areas during the hearings, safety escorts, relocate office space to another building, adjust hours of work to avoid potential contact, suspend the alleged respondent, arrange for police presence in the area, etc.

The TAMUS and the university prohibit retaliation or related retaliation in writing to the alleged victim (reporter), the respondent, the reporter’s supervisor, the respondent’s supervisor, the investigative authority and the designated administrator. Written notice is given at the time of the initial notification of complaint and again when the final decision is distributed.
University-Initiated Protective Measures

In addition to those protective measures previously described, the Title IX Coordinator or their designee will determine whether interim interventions and protective measure should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to: a University order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties’ involved. Violations of the Title IX Coordinator’s directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by Texas A&M San Antonio University.

Notification to Victims of Crimes of Violence

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

Standard of Evidence for Dating Violence, Domestic Violence, Sexual Assault, or Stalking

Preponderance of the evidence is the standard in disciplinary proceeding for determining allegations of dating violence, domestic violence, sexual assault, or stalking at the University. Preponderance of the evidence is satisfied if the action is more likely to have occurred than not.

University disciplinary proceedings for cases involving misconduct are detailed in the Student Handbook under The Student Code of Conduct. The code provides disciplinary proceeding guidelines for students and hearings. A student found responsible for dating violence, domestic violence, sexual assault, or stalking could be prosecuted in state court, and also have action taken by the University. After an alleged crime of dating violence, domestic violence, sexual assault, or stalking, student victims have the option to change their academic and/or campus arrangements if such changes are reasonably available.

Changes in Academic and Living Situation

The Office of Student Engagement and Success can assist the victim of sexual assault, domestic and dating violence, and/or stalking with issues including, but not limited to, class schedule changes, withdrawal procedures, transportation and working situations, if so requested by the victim and if such accommodations are reasonably available, regardless of whether or not the victim chooses to report the crime to campus police or local law enforcement. If the reporting student provides credible evidence that the accused student presents a continuing danger to a person or property or poses an ongoing threat of disrupting the academic process, the Office of Student Engagement and Success and the Title IX Coordinator may take interim action against the accused student, as appropriate.

Title IX of the Education Amendments of 1972

Title IX prohibits discrimination on the basis of sex in education programs of activities operated by recipients of Federal financial assistance. Sexual harassment of students, which includes acts of sexual violence, is a form of sex discrimination prohibited by Title IX. Title IX requires the University to take immediate action to eliminate the harassment, prevent its recurrence, and address its effects. A&M-San Antonio is obligated to comply with a student’s request for a living and/or academic situation change following an alleged sex offense. The Title IX Coordinator is responsible for administrative investigation of claims of sexual harassment and sexual violence, and ensuring there are appropriate grievance procedures for prompt and equitable resolution of student sex discrimination complaints. The University’s Title IX investigation is different from a law enforcement investigation, and a law enforcement investigation does not relieve the University of its independent Title IX obligation to investigate conduct.
Individuals may also report a sex offense to the University’s Title IX Coordinator. The individual responsible for coordinating the University’s compliance with Title IX is Jacquelyn Longoria. Her office is in the Patriot’s Casa, room 202E. She may be contacted at (210) 784-1179 or at Jacquelyn.Longoria@tamusa.tamus.edu.

Sexual Assault Prevention and Response
All members of the campus community should be aware that sexual assaults, including date or acquaintance rape, are prohibited by state laws and University protocols, and will be viewed by Texas A&M University-San Antonio as a serious matter. Sexual assault (rape) is a nonconsensual sexual act involving force, manipulation or coercion. It is an act of aggression, violence and power. Sexual assault is a felony crime. The perpetrator can be a stranger, relative, acquaintance, or date. Although sexual assault is usually a crime committed against women, it can also happen to men. To enhance personal safety, especially after evening classes, community members are encouraged to walk with friends or a well-known acquaintance.

Sexual Assault Prevention and Response
Texas A&M University-San Antonio provides educational programs to promote the awareness of rape, acquaintance rape, and other forcible and non-forcible sex offenses. These programs are sponsored by Student Life & Wellness, with the support of the Student Counseling Center, the A&M-SA PD, and off-campus referral centers. These programs are offered during the months of April and October.

The Clothesline Project is a month long program that allows victims of a sex offense to create a T-shirt which tells their story. Two T-shirt making parties are held at Main Campus and the Brooks City-Base Campus. The completed T-shirts are hung on the main stairwell in the Madla Building to bring awareness to the University community.

Student Life and Wellness also hosts a Human Trafficking Workshop presented by Catholic Charities. This workshop provides participants with information on how to recognize possible trafficked persons and how to report suspected activities.

Sexual Assault Prevention Texas A&M University-San Antonio is also committed to providing comprehensive sexual education and prevention programs. These programs are sponsored by Student Life & Wellness, with the support of the Student Counseling Center, the University Police Department, and off-campus referral centers. Emphasis is placed upon personal safety and awareness of one’s surroundings.

Rape Aggression Defense Training
A&M-SA PD in conjunction with Student Life & Wellness offers Rape Aggression Defense (R.A.D.) training for students. This is a comprehensive program that covers sexual assault awareness, prevention, risk reduction and avoidance. It also includes the basics of hands-on defense training. The sessions are taught by certified R.A.D. instructors twice a year.

Reporting Sexual Assault
Victims of a sexual assault should report the incident to the A&M-SA PD. If the incident takes place off-campus, victims should contact the local police. The Office of Student Affairs, counselors, and/or other appropriate University staff are available to assist with necessary outside agency reporting, if requested. Filing a police report with A&M-SA PD will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers.

Filing a report will:
1) Ensure that a victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim.
2) Provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet or change clothing prior to a medical/legal exam).
3) Assure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.
4) Begin the legal process in case the victim decides to prosecute at a later date. Victims are encouraged to report an attempted or completed sexual assault to the police. It is critical for the police agency to be informed as soon as possible following the incident, so appropriate steps such as gathering of crucial evidence and information can be taken. A victim always has a choice whether or not to report a sexual assault, but reporting an assault, or attempted assault, is extremely important for the protection of both the victim and the community.

When a sexual assault victim contacts the A&M-SA PD, the Office of Student Affairs also will be notified. Student Affairs staff will guide the victim through the available options and support the victim in his/her decisions. The victim also will be encouraged to access available counseling services.

Counseling and Support
If an individual has been sexually assaulted, she/he may experience a wide range of emotions such as shock, denial, fear, depression, anger, guilt and/or embarrassment. Any of these feelings can occur immediately or may not surface until months, or even years after the assault. Recovery from sexual assault is a long-term process. Immediate support and crisis intervention is always needed. Many times counseling can make a major difference in the sexual assault survivor’s eventual psychological adjustment. Obtaining counseling does not obligate a student to report the sexual assault to the police.

Various counseling options are available from the University through the Student Counseling Center at (210)784-1336. Counseling and support services may also be obtained outside the University through the RAPE CRISIS CENTER 24 hour hotline: (210) 349-7273. The Rape Crisis Center is located in the David Coy Building at 7500 US Hwy 90 West Building 2, Suite 201, San Antonio, Texas 78227.

The A&M-SA PD works in concert with the Office of Student Affairs in dealing with sensitive situations and referring persons to counseling services, as needed. Police officers are trained in threat assessment and counselors encourage their clients to report crimes to the A&M-SA PD to prevent the potential for future crimes. Crime information can be forwarded anonymously at the request of the client to the A&M-SA PD.

Counselors do not disclose information to the police department without the consent of the client unless there is an immediate threat to safety.

Criminal Prosecution and Student Disciplinary Hearings
The victim of a sexual assault may choose for the investigation to be pursued through the criminal justice system, the campus disciplinary system or both. The A&M-SA PD, with the victim’s consent, will immediately conduct a criminal investigation of on-campus sexual assault incidents. Completed investigations will be forwarded to the District Attorney’s office for review and possible prosecution. The University will change a victim’s academic and living situations after an alleged sex offense by making special accommodations such as distance learning options, if those changes are requested by the victim and are reasonably available. University disciplinary action may be imposed on individual students, recognized student organizations and/or University faculty and staff found in violation of the University sexual misconduct policy. In addition to any criminal prosecution, students may be placed on probation, suspended or expelled, for committing violent or criminal acts on campus or at campus related events. University disciplinary proceedings are detailed in the Texas A&M University-San Antonio Student Handbook. If a student is found guilty of sexual offense, the University may impose any of the primary sanctions such as expulsion, dismissal, suspension and banishment from campus.

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

Police units will respond immediately. An ambulance or a police officer will transport the victim to the emergency room of the Methodist Specialty and Transplant Hospital, 8026 Floyd Curl Dr., San Antonio, TX 78229 (210) 575-8110 so evidence may be collected even if you chose not to make a report to law enforcement. The police will properly gather all evidence. A physical examination is necessary to take care of obvious and/or hidden physical injuries and will provide the opportunity for the victim to discuss potential pregnancy or communicable disease concerns with a physician. In addition, emergency room personnel will call the local rape crisis center so that a counselor can provide support and education.

Preservation of Evidence

To preserve evidence for an examination, a victim

1) Should not shower, bathe or douche;
2) Should not comb hair or wash hands;
3) Should try not to urinate;
4) Should not smoke, eat, brush teeth, or rinse mouth if oral contact took place; and
5) Should not change clothes. (A victim should carry a change of clothes in case the clothes they are wearing need to be kept for evidence. If clothes must be changed, a victim should place them in a paper bag because plastic may destroy evidence).

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

The officer will give the victim a Crime Victim’s Compensation packet or will call the Crime Victim Liaison to assist with the Crime Victim’s Compensation information, provide support for the victim, and/or to aid in making referrals to other agencies. The Crime Victim Liaison will contact the victim within seven days by phone, mail or a meeting in person. The Crime Victim Liaison will remain in contact with the victim throughout the criminal process to provide additional support.

Campus Sexual Assault, Domestic and Dating Violence, and Stalking Victims’ Bill of Rights

The United States Congress enacted the "Campus Sexual Assault Victim’s Bill of Rights" as a part of the Higher Education Amendments of 1992, as amended by the Campus Sexual Violence Elimination Act (Campus SaVE). This law requires that all universities afford sexual assault victims certain basic rights such as:

1) Accuser and accused must have the same opportunity to have others present including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice.
2) Both parties shall be simultaneously informed of the outcome of any disciplinary proceeding in writing.
3) Survivors shall be informed of their options to notify law enforcement, including on-campus and local police.
4) Survivors shall be notified of counseling services.
5) Survivors shall be notified of options for changing academic and living situations, transportation and working situations, if so requested by the victim and if such accommodations are reasonably available, regardless of whether or not the victim chooses to report the crime to campus police or local law enforcement.

University Discipline Process

Victims have the option to pursue University disciplinary charges if the assailant is a Texas A&M University-San Antonio student. Sexual assault is a violation of Texas A&M University-San Antonio Student Code of Conduct. Whether the student wants to involve the A&M-SA PD or the Student Conduct process, a medical examination is essential. Information and evidence obtained by the police can be used in university disciplinary action if the assailant is a student, regardless of whether or not criminal charges are filed.
Standard of Evidence
Preponderance of the evidence is the standard for determining allegations of sexual misconduct under the University. Preponderance of the evidence is satisfied if the action is more likely to have occurred than not.

University disciplinary proceedings for cases involving misconduct are detailed in the Student Handbook under The Student Code of Conduct. The code provides disciplinary proceeding guidelines for students and hearings. A student found responsible for a sexual assault could be prosecuted in state court, and also have action taken by the University. After an alleged sexual assault, student victims have the option to change their academic and/or campus arrangements if such changes are reasonably available.

Rights of Both Parties
Both the accused and accuser are entitled to the same opportunities to have others present at any disciplinary proceedings. Both the accused and the accuser must be informed of the outcome of any institutional disciplinary proceeding that is brought alleging a sex offense. Compliance with this paragraph does not constitute a violation of the Family Educational Rights and Privacy Act (FERPA). For the purpose of this paragraph, the outcome of a disciplinary proceeding means only the institution’s final determination with respect to the alleged sex offense and any sanction that is imposed against the accused.

Written Request
The University will upon request, disclose to the alleged victim of a crime of violence, or non-forcible sex offense, the results of any disciplinary hearing conducted by the University against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, the institution will provide the results of the disciplinary hearing to the victim’s next of kin, if so requested.

Sanctions
Student conduct sanctions are categorized as primary and secondary. More than one primary sanction or any combination of primary sanctions and secondary sanctions incurred (i.e., tuition, fees, etc.) regardless of the outcome of the disciplinary/academic hearings. The primary sanctions are listed in level of severity. Once a student has been assessed a disciplinary sanction, however, no more severe primary sanctions may be assessed against him or her by any higher University authority.

Primary Sanctions
Expulsion: Permanent separation of the student from the University whereby the student is not eligible for readmission to this University.
Dismissal: Separation of the student from the University for an indefinite period of time. Readmission to the University may be possible in the future, but no specific time for a decision is established.
Suspension: Separation of the student from the University for a definite period of time. The student is not guaranteed readmission at the end of such period of time, but is guaranteed a review of the case and a decision regarding eligibility for readmission.
Banishment from Campus: In addition to being suspended or expelled from the University, the student is banned from entering the grounds and/or facilities owned, operated and/or maintained by the University. Entrance onto campus or into those facilities/areas will be viewed as a violation of this sanction and the student will be confronted and charged accordingly for trespassing and failure to comply.
Deferred Suspension: The sanction of suspension may be placed in deferred status. If the student is found in violation of any University rule during the time of deferred suspension, the suspension takes effect immediately without further review. Additional student conduct sanctions appropriate to the new violation also may be taken. A student who has been issued a deferred suspension sanction is deemed “not in good standing” with the University. A student who is not in good standing is subject to the following restrictions:
1) Ineligibility to hold an office in any student organization recognized by the University or to hold any elected or appointed position within the University.
2) Ineligibility to compete in intercollegiate athletic activity.
3) Representing the University at any official function.
4) Ineligibility to receive a University-administered scholarship or fellowship when the sanction is in place for longer than one semester.

Conduct Probation: An official warning that the student’s conduct is in violation of Texas A&M University-San Antonio Student Rules, but is not sufficiently serious to warrant expulsion, dismissal or suspension. A student on conduct probation is deemed “not in good standing” with the University. This sanction includes the same restrictions listed under Deferred Suspension.

Conduct Review: An official warning that the student’s conduct is in violation of Texas A&M University-San Antonio Student Rules, but is not sufficiently serious to warrant expulsion, dismissal, suspension, or conduct probation. A student on conduct review shall have their conduct under review for a specified period of time. This sanction may require regular meetings with an appropriate official to ascertain and evaluate compliance with student rules. Additional restrictions or conditions also may be imposed, depending on the nature and seriousness of the misconduct. Students placed on this sanction remain in good standing with the University. If there is a finding of responsibility for subsequent violations of the student rules during this period of time, more severe sanctions will be administered.

Letter of Enrollment Block: A letter stating that the student may not reenter Texas A&M University-San Antonio without prior approval through the Office of Student Rights and Responsibilities or Vice President for Student Affairs if enrollment has been blocked for a previous student conduct problem or for medical reasons.

Letter of Reprimand: A letter that makes a matter of record any incident that reflects unfavorably on the student or the University.

Warning: Admonition of a student for actions unbecoming to the University community. A hold will be placed on a student’s University record while one or more of the following are pending disciplinary proceedings: expulsion, outstanding sanctions, dismissal, separation, suspension, campus banishment, deferred suspension, conduct probation, honor code review, and/or interim suspension.

Secondary Sanctions
Community/University Service: A student may be offered an opportunity to complete a specified number of hours of community/University service in lieu of other sanctions.

Educational Requirements: A provision to complete a specific educational requirement directly related to the violation committed. The provision will be clearly defined. Such educational requirements may include, but are not limited to, completion of an alcohol education workshop, a diversity awareness workshop, essays, reports, etc.

Academic Sanctions: Appropriate academic sanctions are based upon specifics of the incident. The provision will be clearly defined. Such academic requirements may include, but are not limited to, plagiarism coursework, educational workshop, etc.

Restrictions: The withdrawal of specified privileges for a definite period of time, but without the additional stipulations contained in the imposition of conduct probation. The restrictions involved will be clearly defined.

Restitution: A payment for financial injury to an innocent party in cases involving theft, destruction of property or deception. The assessed costs to be paid may be in addition to receipt of any of the above sanctions.

Loss of Parking Privileges on Campus: Revocation of campus vehicle registration, and forfeiture of permit and all refund rights to said permit.

Additional Law Enforcement Information
In Texas, sexual assault (rape) is an offense that ranges from a second degree felony to a first degree felony punishable by a sentence ranging from two to ninety-nine years in prison and a fine of up to $10,000. Contact the law enforcement agency handling the case or the Bexar County District Attorney’s office for more information.

Sexual Harassment
Sexual harassment of students and employees at Texas A&M University-San Antonio is unacceptable and will not be tolerated. Any member of the University community violating this policy will be subject to disciplinary actions. For more information see Title IX information.
Missing Student Notification

In the event that a member of the campus community has reason to believe that a Texas A&M University-San Antonio student is missing, he or she shall immediately notify the A&M-SA PD at (210) 784-1900. A&M-SA PD will generate a missing person report and initiate an investigation.

If the investigation determines that the student has been missing over 24 hours, then within the next 24 hours, the University will:
1) Notify the individual identified as the student’s emergency contact person;
2) If under 18 years of age and not emancipated, the University will notify a parent or guardian; and;
3) Notify surrounding law enforcement agencies

Texas A&M University-San Antonio currently does not have any on campus student housing.

Emergency Contact Registration
The University will request of all new students each year that they provide, on a voluntary basis, emergency contact information in the event that the student would be reported missing while at the institution. This information is confidential and will be accessible only to authorized campus officials and may not be disclosed except to law enforcement personnel in furtherance of a missing person investigation. Students who wish to identify a confidential contact may do so by submitting the information to the A&M-SA PD. This information may be updated later by the student as needed by going to the University Police web page: http://www.tamus.edu/upd/emergencynotifications/index.html.

University’s Alcohol and Drug Policy

Alcoholic Beverages
The possession, sale, or furnishing of alcoholic beverages on the Texas A&M-San Antonio campus is governed by statements in the Student Handbook and Texas state law. Laws regarding the possession, sale, consumption, or furnishing of alcohol is controlled by the Texas Alcoholic Beverage Commission (TABC). The enforcement of alcohol laws on campus is the primary responsibility of the A&M-SA PD. Violators may be subject to University disciplinary action, criminal prosecution, fines and/or imprisonment (or a combination of these). It is unlawful to sell, furnish, or provide alcoholic beverages to a person under the age of 21. The possession of alcoholic beverages by anyone less than 21 years of age is illegal. On-campus use of alcohol is allowable in designated authorized areas as approved by the University President. It is also a violation of the student code of conduct for anyone to possess or consume alcohol in any public or private area of campus without prior University approval. Organizations or groups violating alcohol or drug policies or laws may be subject to sanctions by the University. Clarification regarding alcohol and controlled substances can be found in the Student Handbook.

Illegal Drugs
The Texas A&M-San Antonio campus has been designated “Drug Free.” The unlawful possession, sale, manufacture, or distribution of any controlled substance or paraphernalia is illegal under both state and federal laws. These laws are strictly enforced by the A&M-SA PD. Violators may be subject to University disciplinary action, criminal prosecution, fines and/or imprisonment (or a combination of these). The University reserves the right to employ an outside agency to assist in the detection of illegal drugs, controlled substances and/or drug paraphernalia.

Alcohol and Substance Abuse – Prevention Programs
In compliance with the Drug Free Schools and Campuses Regulations (34CFR, Part 86) of the Drug Free Schools and Communications Act (DFSCA), and the Higher Education Act (Section 120A), Texas A&M University-San Antonio offers drug and alcohol-abuse programs such as one on one alcohol and drug dependency counseling. In March of each year, the University also offers mental health alcohol screening. The University recognizes that the abuse of alcohol and other drugs is a threat to the mission of this institution and to the members of the University community. The University recognizes alcohol/drug dependency as an illness and a major health problem. Excessive use of alcohol and other drugs is a serious health problem in itself, but alcohol and drug abuse also can contribute to a host of other physical and
mental health problems such as complications in pregnancy, violent behavior, HIV infection and other sexually transmitted diseases, psychological depression, hallucinations and death. Information, assessment and referral services for alcohol or drug-related problems are available on campus:

1) Services for students are available at the Office of Student Affairs (210) 784-1371 / 2) Student Counseling and Wellness (210) 784-1331.
3) Services for employees are available through the University's human resources office.
4) Other resource: San Antonio Council on Drug & Alcohol Abuse, 7500 HWY 90 W., Building 1 Ste. 100, San Antonio, Texas 78227, (210) 225-4741.

Legal Sanctions – Laws Governing Alcohol
The State of Texas sets 21 as the minimum age to purchase or possess any alcoholic beverage. Specific ordinance violations of alcohol laws, including driving while intoxicated, or public intoxication, are available from Texas Alcoholic Beverage Commission (TABC) or Public Safety Office. Effective January 1, 2006, state laws were passed regarding alcohol. They include the following:
1) Persons under age 21 found in possession of alcohol may be given a maximum fine of $500.00, Alcohol Awareness course, 8-12 hours of community services, and 30-day driver’s license suspension.
2) Anyone convicted of driving while intoxicated may be given a maximum fine of $500.00, Alcohol awareness course, 20-40 hours community service, 60-day driver’s license suspension, and 30-day ineligibility for occupational license.
3) Adults and minors who provide alcohol to minors (a Class A misdemeanor) may be given a fine of $4000.00, maximum confinement of a 1-year, license suspension of 180-day upon conviction.

Firearms and Weapons Policy
Texas A&M University-San Antonio is a firearms/weapons-free campus. In accordance with Texas Penal Code Ch. 46, it is a felony to intentionally, knowingly or recklessly possess a firearm, illegal knife or prohibited weapon in the physical premises of a school building or educational institution, to include any buildings under the direct control of the educational institution. Exceptions to this policy are employees who are concealed handgun license holders under Chapter 52 of the Texas Labor Code who are authorized to store a firearm or ammunition in a locked, privately owned motor vehicle in a parking lot, garage, or other parking areas provided by the employer. In order to store a firearm in a motor vehicle, the employee must hold a concealed handgun license (CHL) in accordance with Chapter 411 of the Texas Government Code or otherwise lawfully possess a firearm.

Student Discipline
Students may be placed on probation with appropriate disciplinary sanctions, suspended or expelled, for committing violent or criminal acts on campus or at campus-related events. In compliance with federal and state laws and regulations, victims of violent crimes, including sexual assaults, will be informed whenever information regarding disciplinary action taken by the University is included in a student file. Within three (3) working days of resolution of a case, victims of violent crimes will be informed of the results of the disciplinary action and may appeal. The victim is required to keep the results of the disciplinary action and appeal confidential. For further information, contact the Office of Student Affairs at (210) 784-1371.

Hate Crimes and Hate Incidents
“Hate violence” is defined as any act of physical intimidation, physical harassment, physical force, physical violence, or the threat of physical force or violence, that is directed against any person or group of persons because of the ethnicity, race, national origin, religion, sex, sexual orientation, disability or political/religious beliefs of that person or group. The University and the University Police Department will not tolerate hate violence and are dedicated to ensuring all persons are protected regardless of their race, national origin, religion, sex, sexual orientation, age, disability or political/religious beliefs. In furtherance of this mission, all ‘hate’ crimes and incidents will be thoroughly documented, investigated and assigned to the courts for prosecution. Students are encouraged to promptly report these types of incidents to A&M-SA PD at (210) 784-1900 and the Office of Student Affairs at (210) 784-1371.
Smoking
In order to ensure a safe, healthy and pleasant work, educational and living environment, Texas A&M University-San Antonio maintains rules and guidelines that prohibit smoking on all University owned or leased property. Smoking is prohibited in all "No Smoking" areas and in all University-owned buildings, leased areas, retail service areas and all vehicles owned or leased by Texas A&M University-San Antonio.

Crime Prevention and Security Programs
General Information
The A&M-SA PD has a crime prevention program that assists the university community to reduce their risk in becoming a crime victim. The crime prevention officer is a certified crime prevention specialist who has had specific training in crime prevention.

Safety Awareness Resources
Brochures are available through the A&MSA PD, which provide additional information on theft prevention, carjacking, rape aggression defense, vehicle burglary prevention, operation ID, identity theft, stalking, dating violence, domestic violence, domestic violence safety plan, sexual assault, bystander intervention, and crime victims’ information. The Office of Student Affairs has a brochure on rape prevention and another on acquaintance rape. The University’s Comprehensive Emergency Management Plan is available to the campus community through the Office of Safety and Risk Management concerning procedures for emergency evacuation, responding to fire, earthquake, hurricanes, serious injury, bomb threat, hazardous material leaks and violent crimes.

Sex Offender Registration
The Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. In accordance with this act, the A&M-SA PD is providing a link to the Texas Department of Public Safety site for registered sex offenders which can be found at the following Department of Public Safety link: https://records.txdps.state.tx.us/SexOffender/

Rape Aggression Defense Classes
The A&M-SA PD in conjunction with Student Life & Wellness offers Rape Aggression Defense (R.A.D.) training for students. This is a comprehensive program that covers sexual assault awareness, prevention, risk reduction and avoidance. It also includes the basics of hands-on defense training. The sessions are taught by certified R.A.D. instructors at least twice a year.

The Clothesline Project
The Clothesline Project allows victims of a sex offense to create a T-shirt which tells their story. A T-shirt making party was held at Main Campus in the month of April. The completed T-shirts are hung on the wall of the Student Lounge in the Central Academic Building to bring awareness to the University community.

A&M-SA PD Escort
The A&M-SA PD provides an escort to our campus community to their vehicle by contacting police dispatch at (210) 784-1900. This is provided seven days a week, 24 hours a day, by escorting students and employees to their vehicles when personal safety is of concern.

Emergency Blue Light Phones
A total of six emergency telephones are located on Main Campus. A&M-SA PD can be quickly contacted by phone by pushing one button. These emergency phones are located in or near campus parking lots.

Motorist Assistance
This is available 24-hours a day to help motorists on campus with vehicle problems such as keys locked in their vehicle, dead batteries and flat tires. Please contact (210) 784-1900.
Safety Begins with You
This presentation is offered to the campus community the first part of each semester. It offers awareness and prevention information on home security, physical security, personal security, active shooter, Clery Act, Title IX, bystander intervention, sexual assault, stalking, and domestic and dating violence. This is offered at least twice a year in the Fall and Spring semester.

Crime statistics
The A&M-SA PD post a daily crime log of crimes that occurred in our patrol district within the last 60 days in addition to annual crime statistic’s required by the Clery Act.

Bystander Intervention
Bystander intervention is defined as the willingness to take action and help someone in time of need. Safe and positive options for bystander intervention will be in place for an individual who intervenes to prevent harm when there is a risk of sexual assault, domestic and dating violence, or stalking against a person. Training programs will be in place to give University community members information on risk reduction, to recognize warning signs of abusive behavior and how to avoid potential attacks. Ongoing prevention and awareness campaigns for students, staff and faculty will take place to inform the University community on the risk of sexual assault, domestic and dating violence, and stalking. The training is hosted by Student Counseling and Wellness. Two classes were given in October and in April.

TIPS (Training for Intervention Procedures)
This is a skill-based training program that is designed to prevent: intoxication, underage drinking and drunk driving. Two classes were given in October and in March by Student Counseling and Wellness.

National Alcohol Screening Day
Student Counseling and Wellness provides training on what is a standard drink, alcohol and academics, dangers of alcohol poisoning and signs of risky drinking.

Timely Warnings
In the event a situation arises on campus, that in the judgment of the Chief of A&M-SA PD or designee constitutes a serious or continuous threat, a university-wide “timely warning” will be issued. It will emphasize the main building or area the incident has occurred/is occurring. The University will issue an alert to give students, faculty and staff as reasonably and timely as possible, notification of a crime that may represent a serious or ongoing threat to the campus community and to heighten safety awareness. The Office of Chief of Police or designee will prepare and distribute the alert. The alert will be sent primarily through campus email (Jag-E Alert System) and may also be sent in combination with other means of communication such as: posted on the A&M-SA PD website http://www.tamusa.tamus.edu/upd/index.html, through social media sites and sent as text messages to registered users, University website and University monitors. A timely warning may be issued for any qualifying incident as defined by Clery Act Crime that occurs in the University’s Clery geography and/or when a crime is reported to any campus security authority (CSA) which presents an immediate ongoing threat to the community. Victims’ names and other identifying information are withheld from timely warnings as confidential. The university is not required to provide a timely warning to crimes reported by a pastoral or professional counselor.

Anyone with information warranting a timely warning should immediately report the circumstances to the A&M-SA PD, by phone at (210) 784-1900 or in person at their office at Room 120 – Frank L. Madla Building, One University Way, San Antonio, Texas, 78224.

Emergency Notifications
During an emergency situation, information will be released to the University community through the JagE Alert System. This is a system that quickly notifies registered users of campus emergencies through text messages, emails and voicemail alerts. JagE Alert is capable of sending alerts via telephone call, email messages and text messages to registered users. Students are able to include several telephone numbers and email addresses allowing notification to
parents and/or spouses as well. Because JagE Alert uses data provided by the students, it is imperative that contact information remain up-to-date at all times. In emergency situations, the campus also is equipped with an outdoor speaker system that can broadcast direct commands and sounds to alert the campus to danger and ways to take necessary precautions. The system can also be accompanied by interior signs placed strategically in campus buildings throughout the campus.

The University is equipped with Mass Notification Systems and in the event of an emergency the University community may also be notified via external/internal audible alerts and visual alerts (flashing lights). Additionally, announcements can be made in buildings equipped with public address capability through the fire alarm system. The Main Campus exterior loudspeaker notification system provides direct commands and sounds that alert the campus to danger and ways to take necessary precautions. These visual and audible alerts are located throughout the University campus and buildings. A warning will include a tone and a set of instructions indicating the type of emergency and the type of response to take depending on the situation. The Office of Chief of Police or designee will determine when the emergency notification systems will be initiated. They will, without delay, and taking into account the safety of the community, initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The Office of Chief of Police or designee, shall, consistent with the University’s Emergency Operations Plan, authorize immediate notification to the University community following confirmation of the threat, unless that notification is delayed for as short a time as possible, if there is a professional determination by law enforcement that issuing a notice would put the University community at greater risk. The content of the initial notification will be determined by the Office of the Chief of Police or designee. It will be generic in nature to maintain campus safety while responding to, containing, and/or rendering aid or assistance to victims. It will be determined the appropriate segment or segments of the campus community to receive the notification. All the JagE-Alert messages are sent to everyone in the distribution list. Wording in the Emergency Notification should indicate what segment or area of the University community is affected. University Communications shall notify the external community by various means to include; University website, social media, and/or press releases.

The A&M-SA PD will notify/coordinate response efforts with local enforcement authorities and other outside emergency personnel. If there is an immediate threat to the health or safety of students or employees occurring on campus, the Chief of Police or designee is responsible for disseminating emergency information to the public. Follow up emergency notifications may come from the Office of the Chief of Police, University Communications, and/or Office of the President of the University.

Emergency Response and Evacuation Procedures

Emergency Response

When A&M-SA PD receives notification of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus, first responders will confirm the emergency/threat. If the emergency warrants, the A&M-SA PD supervisor shall communicate immediately with the Chief of Police or designee and depending on the magnitude of the incident will initiate the appropriate Comprehensive Emergency Management Plan. The JagE Alert System may be initiated for notification and mobilization of the Emergency Management Team. An Emergency Operations Center may be established.

Campus Evacuation

The President or designee will authorize University evacuation orders. An announcement of a campus-wide evacuation will come from the Office of the President, the Office of Chief of Police or designee. Students and employees should follow the instructions and timeline for leaving the campus and alert others to do the same. Information about returning to the campus will be provided through JagE Alert. The personnel recall process for employees and press releases will be made through the Office of Communications coordinating with news media outlets.
Building Evacuation
An evacuation will occur when the fire alarm sounds and/or notification is made by the A&M-SA PD, the building emergency managers acting under the instructions of these offices and other bona fide First Responders such as the San Antonio Fire Department, San Antonio Police Department, FBI, ATF, and the like.

All persons (students, employees and campus visitors) are to immediately vacate the area in question, leaving by the nearest marked exit and alert others to do the same. Once outside, proceed to the designated building assembly area if safe to do so. Personnel shall not return to an evacuated building until given the all clear signal by Texas A&M University-San Antonio officials.

Drills, Exercises and Training
The University annually, conducts one or more emergency response exercises on campus each year such as tabletop exercises, active shooter and fire drills by using the JagAlert system. Buildings are selected at random and an emergency drill is declared and evacuation procedures are executed. These tests may be announced or unannounced. The University will publicize by using the JagEAlert system about its emergency response and evacuation procedures in conjunction with at least one test per calendar year. Testing of the JagEAlert system is done at least monthly. These tests will be either placing the system in “test mode” and documenting the test or during a scheduled exercise. The drill is critiqued and an After Action Report (AAR) is generated. The AAR will be retained for a minimum of (2) two years.


The Annual Disclosure of Crime Statistics
Each year, the Office of Student Affairs in collaboration with the A&M-SA PD prepares an Annual Security Report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This report is prepared in cooperation with the local law enforcement agencies surrounding the main campus and alternate sites. The crime statistics are included in the report.

Campus crime, arrest and disciplinary referral statistics include those reported to A&M-SA PD and or designated campus officials. The Office of Student Affairs staff informs their clients of the procedures to report to A&M-SA PD on a voluntary or confidential basis, should they feel it is in the best interest of the client. A procedure is in place to anonymously capture crime statistics disclosed confidentially during such a session.

Each year, an email is sent to all enrolled and prospective students providing the website to access this report. Faculty and staff employees are notified in an email regarding access to this report. Potential employees can reference the ASR via our HR employment website. Copies of the report also may be obtained at the A&M-SA PD located at room 120 of the Madla Building at the Main campus or by calling (210) 784-1900. Information regarding the availability of the report, website location and where to access printed copies is announced during student orientation and other campus presentations, and published in the current student handbook.

Reporting Requirements
The United States Department of Education, in its Higher Education Amendments of 1999, published final rules and regulations providing clarification for crime reporting requirements under the Jeanne Clery Disclosure of Campus Security Policy & Campus Crime Statistics Act. An institution must report statistics concerning the occurrence on campus, on related non-campus property and on public property of the following crimes:

- Murder
- Manslaughter
- Rape or forcible and non-forcible sex offenses
- Robbery
- Aggravated assault
- Burglary
• Motor Vehicle Theft
• Arson

Additionally, statistics are provided for the following:
• Hate Crimes—Any of the above-mentioned offenses, and any incidents of Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/Vandalism of Property that were motivated by bias; and

Police Daily Crime Log
The A&M-SA PD provides a daily crime log within their patrol jurisdiction for the previous 60 days. The log includes the nature of the crime, date and time the crime occurred, general location and disposition of the complaint, if known. This log is available to any member of the public upon request. It is also available at our website. Any portion of the log older than 60 days will be made available within two (2) business days of a request for public inspection.

According to federal law, an institution may withhold any of the required fields of entry, i.e. the nature, date, time, location and/or disposition of a case if any of the following conditions apply:
• The disclosure is prohibited by law:
  o If disclosure would jeopardize the confidentiality of the victim.
  o If disclosure would jeopardize an ongoing criminal investigation or the safety of an individual.
  o If disclosure would cause a suspect to flee or evade detection.
  o If disclosure would result in the destruction of evidence.

Crime Definitions (as defined by the Clery Act)
Murder: The willful (non-negligent) killing of one human being by another.
Manslaughter: The unlawful killing of a human being without malice.
Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is “any sexual act directed against another person, without the consent of the victim, including instances where the victim if incapable of giving consent.”
• Rape is defined as 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 is defined as the touching of the private parts of another person for the purposes 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 is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
• Statutory Rape is defined as sexual intercourse with a person who is under the statutory age of consent.
Robbery: The taking/attempting to take anything of value from the custody or control of a person or persons by force, threat of force or violence and/or putting the victim in fear
Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe bodily injury; usually accompanied by use of a weapon or by means likely to produce death or great bodily harm, though it is not necessary that physical injury actually occur.
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.
Arson: The willful and malicious burning of another’s property.
Motor Vehicle Theft: The theft or attempted theft of a motor vehicle.
Weapon Law Violations: Violations of laws dealing with weapons offenses, such as the manufacture, sale, possession carrying of deadly weapons.
Drug Abuse Violations: Violations of state and local laws relating to the unlawful possession, sale, use, cultivation and manufacturing of narcotic drugs and dangerous non-narcotic drugs.

Liquor Law Violations: The violations of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possession of intoxicating liquor. (Drunkenness and driving under the influence are not included in this definition).

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.

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

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

Campus Security Authority (CSA): A Clery-specific term that encompasses four groups of individuals and organizations associated with an institution:
- A campus police department or a campus security department of an institution.
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus Police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property).
- Any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

Location of Crime:
- On campus: Anywhere on the University campus, includes all properties owned by the University and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes; or reasonably contiguous to the area and owned by the University but controlled by another person, is frequently used by students and supports the institutional purpose.
- Non-campus Property: Building or property owned or controlled by institution in direct support of or in relations to the institution’s educational purposes; is frequently used by students and is not within the same reasonably contiguous geographic area of the University, or is owned or controlled by a student organization that is officially recognized by the University.
- Public Property: All public property, including thoroughfares, streets, sidewalks and parking facilities within the campus or immediately adjacent to and accessible from campus
Texas A&M University- San Antonio 2014 Campus Crime Statistics
(Data provided by TAMUSA UPD)

2012-2014 Texas A&M University- San Antonio information is available at:
http://www.tamusa.edu/uploadFile/folders/fcestrad/Pdf/Pdf-635787907159752543-10.100.150.124.pdf

2014 CAMPUS CRIME REPORT
(Based on 2012, 2013, 2014 Data)

Main Campus
One University Way, San Antonio, TX  78224

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There were no hate crimes reported for 2012.
Brooks Citybase Campus  
2601 Louis Bauer, San Antonio, TX  78235

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**HATE CRIME REPORTING:**
There were no hate crimes reported for 2014.
There were no hate crimes reported for 2013.
There were no hate crimes reported for 2012.
In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Statistics Act

Alamo Colleges is required to distribute the following information to all current and potential students and employees. Please take a moment to read the following information. The information is also available on the Alamo Colleges Police Department web site: http://www.alamo.edu/district/police/

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A Message from the Chief of Police
On behalf of all of the employees of the Alamo Colleges Police Department I would like to welcome you. The Alamo Colleges communities with whom our department personnel interact with are a concentration of highly educated academicians, outstanding students, and well-qualified staff. Our personnel are sensitive to the unique nature of the Alamo Colleges population and realize that they serve in direct support of higher education.

The 60,000+ students, 5,000+ employees, five campuses and allied satellite facilities of the Alamo Colleges make it one of the largest in the nation.

Our department’s highest priority is to provide professional campus oriented law enforcement and security services in a receptive and collaborative manner and to make a safe work and study environment available to all. We place our emphasis on service and the promotion of involvement to maintain a safe and secure environment. Together we are all keenly aware of our responsibilities in the prevention of crime.

This guide is published to provide information about department services, programs and statistical information as required by law. If you have any questions or suggestions concerning this publication, please contact the Alamo Colleges Police Department at (210) 485-0099 or come by our office at 1601 N. Main Ave. on the San Antonio College Campus at the corner of Main Ave. and East Park.

Sincerely,
Don F. Adams
Chief of Police

Police Department Telephone Directory
Alamo Colleges Web Site: http://www.alamo.edu
Police Department Web Site: http://www.alamo.edu/district/police/
Area Code – 210 (for all numbers listed below)

Emergencies
Police/Fire/Medical 485-0911

Non-Emergencies
General Assistance 485-0099
Office of the Chief of Police 485-0088
Office of the Deputy Chief of Police/Administration 485-0184
Office of the Deputy Chief of Police/Patrol 486-1810
Office of the Deputy Chief of Police/Emergency Services 485-0778
Uniform Patrol Division Field Supervisor 485-0099
Sergeant / Support Services Supervisor 485-0096
Communications 485-0778
Records Division 485-0096
Criminal Investigations Division 485-0187/485-0185/485-0089

Other Important Telephone Numbers
San Antonio College Substation 486-0996
St. Phillips College Substation 486-2214
Northeast Lakeview College Substation 486-5226
Northwest Vista College Substation 486-4999
Palo Alto College Substation 486-3997
Southwest Campus Substation 486-7030
Department Overview
The Alamo Colleges Police Department is a Texas Police Chief’s Foundation Association Best Practices Law Enforcement provides law enforcement services to all components of the Alamo Colleges including academic campuses and a variety of satellite facilities throughout Bexar and Comal Counties.

The Department has 96 authorized positions including 77 state certified Peace Officers, 1 Parking Enforcement Personnel, 11 Communications Officers, and 7 Administrative Support Personnel. The department maintains a fully staffed investigations division and an Emergency Communications Center which operates 24 hours a day, year round with full interoperability capabilities.

To provide a safe campus for our students, staff, faculty and visitors, the department has armed, uniformed officers on patrol 24 hours a day, year round. To provide this around the clock coverage our officers work in three shifts. Unarmed Parking Enforcement personnel work closely with our Patrol Officers by constantly patrolling campus properties. Patrol is the core of the Alamo Colleges Police Department. These officers are the ones to answer calls for service, respond to alarms and enforce state criminal and traffic laws in addition to the rules of the Alamo Colleges. The department also has police officers responsible for specialized assignments including Criminal Investigations, Crime Prevention and Bicycle Patrol.

Jurisdictional, Enforcement, & Arrest Authority of the Alamo Colleges Police Department
The Alamo Colleges Police Department is the primary police authority for the colleges of the Alamo Colleges. Our Police Officers are certified Texas Peace Officers as defined in article 2.12 of the Texas Code of Criminal Procedure. Pursuant to Section 51.203 of the Texas Education Code, the primary jurisdiction of Alamo Colleges Police Officers includes all counties in which property is owned, leased, rented, or otherwise under the control of the Alamo Colleges. As peace officers, the Department’s police officers have the same authority to detain and arrest as municipal police officers.

The Alamo Colleges Police Department is linked by computer to city, state and federal criminal justice agencies, which provides access to criminal records, wanted persons, stolen property, and vehicle information. All crimes reported to the Alamo Colleges Police Department are thoroughly investigated and are referred for prosecution through the District Attorney’s Office when appropriate. Criminal matters involving our students may also be referred to the appropriate administration for disciplinary action.

The Alamo Colleges Police Department maintains excellent working relationships with all area law enforcement agencies including the San Antonio Police Department, the Live Oak Police Department, the New Braunfels Police Department, the Bexar County Sheriff’s Office, the Texas Department of Public Safety, and the local field office of the Federal Bureau of Investigation. These working relationships are maintained through periodic 2015 Annual Security & Fire Safety Report communication among agency administrators and by frequent contact between line officers and investigators cooperating on specific cases.

Professional Standards
The Police Department’s relationship with the community and ensuring that we provide excellent services is vital to achieving our overall mission of safe and secure campuses. All members of the Alamo Colleges community can expect to be treated in a courteous and professional manner by members of our department. The Alamo Colleges Police Department will not tolerate an employee who acts unprofessionally or rudely or who does not provide an appropriate level of service. We also wish to recognize instances where our employees have been especially helpful or have exceeded your expectations in the service they have provided.

The quality of our service is dependent in part on feedback from the community we serve. Please help us improve our department by bringing your complaints and compliments to the attention of any of the following individuals in a timely manner:
1. Request the on-duty Police Patrol Supervisor by calling 210-485-0099; this individual is available 24-hours a day.
2. Address written correspondence to: Chief of Police, Alamo Colleges Police Department, 1601 N. Main Ave. San Antonio, Texas 78212.

**Incident Reporting and Response**

Any criminal offense, suspected criminal activity, or other emergency on campus should be reported directly to the Alamo Colleges Police by telephone, in person, or by dialing 485-0911 from any campus phone or by using one of the emergency telephones located throughout our campuses. Campus elevators are also equipped with emergency phones. Upon receipt of the call, the Emergency Services Division personnel can supply information or dispatch officers as necessary.

For non-emergencies from a campus phone, dial 485-0099. The e-mail address for the Alamo Colleges Police Department is dst-dpsdispatch@alamo.edu however request for police service should not be sent via email. Alamo Colleges Police or Parking Enforcement personnel in vehicles, on foot or on bicycles are eager to be of assistance and may be contacted directly.

The Alamo Colleges Police department will respond as quickly and safely as possible to any request for assistance, whether it is an emergency or not. Response time is based on current activity and severity of the call. Crimes in progress, alarms, traffic accidents with injuries and medical assists have a higher priority than other types of calls.

We cannot overemphasize the importance of prompt and accurate crime reports, no matter when it occurs. If a crime is not promptly reported, evidence can be destroyed or the potential to apprehend the suspect is lost. Without accurate reports, leads could be missed and the investigation headed in the wrong direction. If you witness a crime or emergency, promptly report it to the Alamo Colleges Police Department and be prepared to answer questions as accurately as you can.

The subsequent investigation can only be as thorough as the information received. If you are the victim of a crime or you have seen or received information of criminal activity or other emergency, please contact the Alamo Colleges Police Department immediately.

**Reporting Criminal Offenses to Campus Officials**

Faculty, staff and students are encouraged to report any problems with the campus environment directly to the Alamo Colleges Police, but you may also report criminal offenses to designated campus officials (including but not limited to directors, deans, and department heads) or to other local law enforcement agencies.

Crimes can be reported anonymously by calling Crime Stoppers at (210) 224-STOP. The Alamo Colleges Police Department, Counseling and Psychological Services, and the Department of Student Affairs at each campus will accept confidential and anonymous reports of crimes for inclusion in the annual statistical report. Although exempt from the reporting requirements of the Clery Act, pastoral and professional mental health counselors are encouraged to refer persons they are counseling to report crimes on a voluntary, confidential basis for inclusion in the annual statistics especially if the incident poses a continuous threat to the campus. It is our goal to provide assistance wherever the report is made to make sure we include the crime in our annual security report.

**Timely Warning Policy**

In the event that a situation arises, either on or off campus, that, in the judgment of the Alamo Colleges Police Department and/or the Alamo Colleges Emergency Management Coordinator, that constitutes an ongoing or continuing threat, a campus wide “timely warning” will be issued. This “Campus Crime Alert” warning may be issued through the emergency notification system via text, phone and email, the campus e-mail system to students, faculty and staff, publishing on the Alamo Colleges web site and/or the posting of flyers.
Personal Safety is paramount – it’s everyone’s responsibility. The Alamo Colleges Police Department encourages you to attend ACPD presentations on personal security and safety which are held throughout the semester and to follow us on Facebook and Twitter to obtain important safety tips and information.

Each week, the Alamo Colleges Police Department publishes a “Police Blotter” available to the media, the public and various campus offices. This summary identifies the type, location, time and date the crime was reported. You may view this “Police Blotter” via the department web page at http://www.alamo.edu/district/police/ and click on the “Police Blotter” section. A printed copy of this report may also be obtained by calling (210) 485-0099.

Access and Maintenance of Campus Facilities

Access
Custodians are responsible for opening all building entrance doors which are not currently on the controlled access system for operational days and hours and for securing the building entrance doors at closing. Generally, the buildings are opened at 7 a.m. and closed between 10:00 p.m. and 10:30 p.m. each day. College faculty are responsible for opening and closing their respective classrooms and faculty offices, and custodians and DPS are responsible for verifying that all classroom spaces are secured at the end of each day.

For special activities, events, and other functions, including construction, scheduled after duty hours and on weekends, Alamo Colleges Police personnel shall be responsible for opening and securing the buildings, when requested in writing. After normal operating hours and on weekends, access to buildings shall be restricted to the maximum extent possible, consistent with academic requirements.

A person without a key or access control ID card who needs access to a particular room should first contact their vice-president of college services, department chairperson, or college facilities coordinator to open the door.

A. San Antonio College: Buildings which would be in use at other than the normal times mentioned in the paragraph above would be the McAllister Theatre, the McCreless Theatre, the Candler Physical Education Building, the Loftin Student Center, The Koehler House, the Scobee Planetarium, and the Visual Arts and Technology Building.

B. St. Philip’s College: In addition to the access hours noted above, the following facilities have the indicated hours of operation on Sunday: Learning Resource Center: 1:00 p.m. to 5:00 p.m.

C. Palo Alto College: Buildings which would be in use at other than the normal times mentioned in the paragraph above would be the Learning Resource Center and Natatorium which are open for special events.

D. All campuses have building construction and building renovation in progress. These construction areas are completely secured with chain link fence, and off limits to staff, faculty and students.

Maintenance

Maintenance Hotline: Requests for maintenance and repair services may be made by telephone to the Maintenance Work Control Technician on the Hotline.
San Antonio College: 210-486-1235
St. Philip’s College: 210-486-2888
Palo Alto College: 210-486-3888
Northwest Vista College: 210-486-4888

A. An emergency (utility failure, failure of a fire protection system; heating/cooling, or security alarm system, certain fire or safety hazards, etc.) will be responded to immediately. If the request is urgent (fire, health, or safety hazards not qualifying as an emergency) Maintenance will strive to complete the request within five working days.

B. Routine requests will normally be completed in 30 days if supplies are in stock. The individual submitting the request for service will be provided the work order number for purposes of tracking and will refer to that number for any follow-up action required.
College Facilities Superintendent or designee will review the work to be completed and approve or disapprove the work order.

A. The Facilities Superintendent will certify the availability of funds for minor construction work and appoint a Facilities Coordinator to be point-of-contact for the college with the Facilities Department.

B. The Facilities Superintendent will contact the Vice President for College Services with concerns relating to work orders.

Emergency Response and Evacuation Procedures

The Alamo Colleges Police Department is the primary first responder to any emergency situation on all campuses. Campus and community emergency responders such as Alamo Colleges Environmental Health, Safety & Risk Management team and the respective Fire Departments supporting each college may also respond to the emergency scene depending on the scope of the emergency.

Preparedness is everyone’s responsibility. The Alamo Colleges Police Department has developed an Emergency Procedures Quick Reference Guide which is available on its web site at http://www.alamo.edu/uploadedFiles/District/Employees/Departments/POLICE_Department/pdf/Emergency-Procedures-Quick-Reference-Guide.pdf. The guide provides information regarding protective actions to be taken during emergencies, such as an active shooter incident, suspicious package discovery, tornadoes and severe weather, hazardous materials, medical emergencies, and also provides emergency contact phone numbers.

All campuses have evacuation maps next to the elevators in each building at all campuses. The Alamo Colleges Office of Enterprise Risk Management coordinates the BAT (Building Action Team) program, which trains faculty and staff on evacuation procedures, shelter-in-place procedures, utilizing evac-chairs (mobility impaired evacuation chairs), fire safety, incident command system, crime prevention, and active shooter response. The BAT provides assistance during building evacuations.

Confirmation of an Emergency or Dangerous Situation

In order to confirm a significant emergency or dangerous situation is occurring on campus, Alamo College Police Officers are dispatched to the location where the incident has been reported. If responding officers confirm that a significant emergency or dangerous situation is occurring, the police field supervisor will ensure that appropriate college officials are notified by the AC Police dispatch center. The field supervisor has the capability to activate emergency notifications to the campus community that are affected by the emergency or dangerous situation in consultation with the Alamo Colleges Director of Enterprise Risk Management and the Chief of Police. Department and College Administrators will be promptly notified of major incidents by the Chief of Police.

Emergency Notifications

Upon the confirmation of a significant emergency or dangerous situation involving an immediate life safety threat to students, faculty, or staff occurring on any Alamo Colleges campus, Alamo Colleges officials will, without delay, notify the campus community. Alamo Colleges’ officials will take into account the safety of the college community when determining the content of the notification and will initiate appropriate mass notification systems, unless in the professional judgment of Alamo Colleges’ officials, the notifications will compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

The Alamo Colleges provides various methods to notify students, faculty, and staff of a developing situation or emergency. The Alamo Colleges Office of Governmental and Public Relations and the Office of Enterprise Risk Management coordinate the Alamo Colleges Emergency Notification System. All Alamo Colleges mass notification systems are designed to utilize pre-scripted messages, as well as customized emergency communication with students, faculty, and staff. Dispatch, Enterprise Risk Management, and the District / Campus Public Relations personnel are trained to initiate the mass notifications systems, including how to develop messages and alerts. Messages and alerts have the ability to quickly alert the Alamo Colleges community via text,
landline phone, cell phone, or email. Persons authorized for making notification decisions include the Chief of Police or his designee, Director of Enterprise Risk Management, and / or the ACPD Patrol Supervisor.

External partners, families, and agencies also have access to emergency information through the Alamo Colleges main website at http://www.alamo.edu/. The main webpage is routinely updated during an emergency, and provides an outlet for internal and external stakeholders to quickly review updates during a rapidly developing situation or emergency. This webpage also serves as a clearinghouse of campus emergency preparedness information, as well as road closures, class cancellations, general alerts, and other areas of interest to the Alamo Colleges community. For further information, visit the Campus Alerts webpage at http://www.alamo.edu/.

The Alamo Colleges Police Department also posts information on Facebook and Twitter sites to reach external partners. Facebook – www.facebook.com/alamocollegespd and Twitter - https://twitter.com/AlamoCollegesPD

Campus Crime Alerts: The Alamo Colleges Police Department utilizes a website called Campus Crime Alerts that was developed to keep students, faculty, staff, and the general public informed on the status of the college(s) during emergency situations.

Social Media (Facebook, Twitter) and Digital Signage (Alamo Colleges TV): the use of social media sites provides a valuable means of interacting with the community. ACPD utilizes social media websites to enhance communication and can disseminate information related to campus emergencies, crime alerts, or issues concerning public safety. The Office of Information Technology manages a number of televisions across the Alamo Colleges campuses that regularly post information and bulletins. Emergency notifications can be displayed on these televisions when needed.
FACEBOOK–www.facebook.com/alamocollegespd
TWITTER – https://twitter.com/AlamoCollegesPD

Annual Exercises and Drills
Emergency preparedness and mitigation exercises provide the campus emergency response teams (ERTs) and all participants (students, faculty, and staff) the opportunity to learn their roles, responsibilities, and procedures before an actual emergency. All exercises with the emergency response team are designed following federal and state guidelines to ensure consistency with the National Incident Management System and Incident Command System. Emergency exercises are followed through with after action reports, meetings, and evaluations to identify lessons learned and explore new or improved means of coordination before, during, and after an emergency at any Alamo Colleges campus.

The Alamo Colleges performs five different types of drills on an annual basis. The drills are Evacuation, Reverse Evacuation, Shelter-In-Place, Severe Weather, and Lock-down. Each campus performs the five drills annually. All exercises, drills, and activities are announced to the affected population using our Mass Notification System. Communication to the community is important before testing emergency systems or exercises so as to not alarm building occupants and ensure external partners are aware of the activities. All exercise and drill reports are maintained internally within the office of Enterprise Risk Management. When warranted, external agencies participate in these exercise drills including the San Antonio Fire Department, San Antonio Police Department, and other local, county, state, and federal emergency management agencies.

Alcoholic Beverages, Illegal Drugs, and Weapons
As an institution interested in the intellectual, physical and psychological well - being of the campus community, the Alamo Colleges deems it important to curtail the abusive or illegal use of alcoholic beverages. All members of the Alamo Colleges Community and guests are required to comply with federal, state and local laws regarding the distribution, sale, possession, and consumption of alcoholic beverages and sale, possession, and use of illegal drugs.

No person shall possess, consume, or sell alcoholic beverages, narcotic drugs, deadly weapons, intoxicating liquors, or firearms upon College District property unless specifically authorized by the College District or as provided in Policy G.1.4 regarding concealed handguns, firearms and ammunition in certain areas.
Anyone who uses a drug authorized by a licensed physician through a prescription specifically for that person’s use shall not be considered to have violated this procedure. Refer to Board Policy G.1.4.2 – Conduct on College District Property: http://www.alamo.edu/uploadedFiles/District/Employees/Departments/Ethics/pdf/policies/G.1.4.2-Procedure.pdf.

**Alcoholic Beverages**
The use and sale of alcoholic beverages must be in compliance with Texas law and is strictly limited to persons 21 years of age or older. The possession, transportation, and/or consumption of alcohol by individuals less than 21 years of age are strictly prohibited on any Alamo Colleges property to include, any Alamo Colleges sponsored event held off campus.

Alcoholic beverages shall not be possessed, sold, distributed or consumed on College District property or at College District functions except in full compliance with Texas Alcoholic Beverage Commission (TABC) requirements and as approved by the Chancellor. The Chancellor may delegate this authority and/or establish limited circumstances and locations for which prior approval is granted.

For further information on Use of Alcohol at District Facilities refer to Board Policy G.1.4.4 (Procedure) Use of Alcohol at District Facilities - based on Board Policy G.1.4 – Use and Access to College District Facilities: http://www.alamo.edu/uploadedFiles/District/Employees/Departments/Ethics/pdf/policies/G.1.4.4-Procedure.pdf.

**Illegal Drugs**
Texas state law prohibits the manufacture, sale, delivery, possession, or use of a controlled substance without legal authorization. Use of illegal drugs on any Alamo Colleges Campus or at any Alamo Colleges sponsored event held off campus is prohibited. A controlled substance includes any drug, substance or immediate precursor covered under the Texas Controlled Substance 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 policy may result in criminal charges and will also be adjudicated through campus disciplinary procedures.

**Weapons**
In accordance with Texas Penal Code Chapter 46, it is a felony to intentionally, knowingly or recklessly possesses a firearm, illegal knife or prohibited weapon (with or without a concealed handgun permit) on the physical premises of a school or educational institution, to include any buildings or passenger transportation vehicles under the direct control of the educational institution.

The Alamo College District prohibits the use, possession, or display of any firearm, illegal knife, club, or prohibited weapon as defined under Texas Penal Code, on all property owned or controlled by the College District at all times, except under the following conditions:

A person who holds a license to carry a concealed handgun under Subchapter H, Chapter 411, Texas Government Code, may carry a concealed handgun anywhere on College District property EXCEPT:

- any building owned or operated by Alamo Colleges or in a portion of a building that is leased, rented or otherwise occupied by Alamo Colleges;
- on any grounds on which an Alamo Colleges sponsored activity is being conducted (examples include but are not limited to Palo Alto College Soccer Field(s), PAC Fest, St. Philip's College Culture Fest, and Student Life sponsored events);
- on any premises (defined as a building or portion of a building) where a high school, collegiate, or professional sporting event or interscholastic event is taking place and the license holder is not a participant in the event or a handgun is not used in the event; or
- in a vehicle owned or leased by Alamo Colleges and used by an employee in the course and scope of the employee’s employment, unless the employee is required to transport or store a firearm in the official discharge of the employee's duties.
A person who holds a license to carry a concealed handgun under Subchapter H, Chapter 411, Texas Government Code, or a person who otherwise lawfully possesses a firearm and ammunition may transport or store the handgun or firearm or ammunition in a locked, privately owned motor vehicle in a College District parking lot, parking garage or other parking area provided by the College District.

http://www.alamo.edu/uploadedFiles/District/Employees/Departments/Ethics/pdf/policies/G.1.4-Policy.pdf

Sexual Assault – Domestic Violence – Dating Violence - Stalking
The Alamo Colleges Police Department is available to receive and investigate reports of sexual assault, domestic violence, dating violence, and stalking and to assist a victim in securing medical attention, participate in evidence preservation and collection, conduct investigations, and inform the victim of legal and administrative options both on and off campus.

The Alamo Colleges Police Department is available to all victims to provide information about personal safety, Texas Crime Victim’s Rights, Texas Crime Victims Compensation Fund and other information upon request. The various campus Departments of Student Success can assist the victim with issues including, but not limited to, class schedule changes, withdrawal procedures, etc., if requested by the victim.

REPORTING: Persons who have information regarding a sexual assault are strongly encouraged to report the incident to the Alamo Colleges Police Department or other law enforcement agency immediately. If you are a victim of domestic (family) violence, dating violence, and/or stalking, you are also strongly encouraged to notify the Alamo Colleges Police Department or other law enforcement agency immediately. You can also report the sex crime to campus officials who, in turn, can notify the appropriate law enforcement agency, if requested. It is the policy of the department to conduct investigations of all sexual assault complaints, domestic(family) violence, dating violence, and stalking to include all other crimes with sensitivity, compassion, patience and respect for the victim(s). Investigations are conducted in accordance with guidelines established by Federal and State laws and with the guidance and direction of the Bexar County Criminal District Attorney’s Office.

Sexual Assault
All information and reports of sexual assault are kept strictly confidential. In accordance with the Texas Code of Criminal Procedure Article 57, victims may use a pseudonym to protect their identity. A pseudonym is a set of initials or a fictitious name chosen by the victim to be used in all public files and records concerning the sexual assault. The victims of sexual assault are not required to file criminal charges or seek judicial actions through the campus disciplinary process. However, victims are encouraged to report the assault to the Alamo Colleges Police Department or other appropriate law enforcement agency in order to provide the victim with physical and emotional assistance. Information and assistance is also available through the San Antonio Rape Crises Center Hotline at 210 349-7273 or their front desk at 210-521-7273, the Student Counseling Services on each campus, and/or the Dean of Student Success of each campus. If requested, these departments will assist the victim in contacting the Alamo Colleges Police Department. The Alamo Colleges website page, AlamoCares, provides a quick resource guide for Student Emergency Resources, click for more information: AlamoCares – Quick Resource Guide -

POLICY H.1.2 Civil Rights Discrimination, Harassment, and Retaliation -

The Texas Penal Code defines “Sexual Assault” as an offense if committed by a person that intentionally or knowingly causes the penetration of the anus or sexual organ of another person by any means, without that person’s consent; or causes the penetration of the mouth of another person by the sexual organ of the actor, without that person’s consent; or causes the sexual organ of another person, without that person’s consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor. (Texas Penal Code Sec.22.011)

“Without Consent” in regards to sexual assault is defined in Texas Penal Code as:
(1) The actor compels the other person to submit by the use of violence;
(2) the actor compels the other person to submit by threatening to use violence against the victim or against any other person;
(3) the other person has not consented and the actor knows the other person is unconscious or physically unable to resist;
(4) the actor knows that as a result of mental disease the other person is at the time of the sexual assault incapable of appraising the nature of the act;
(5) the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring;
(6) The actor has intentionally impaired the other person’s power to appraise the victim’s conduct by administering any substance without the victim’s knowledge. (Texas Penal Code Sec. 22.011)

Guidelines or suggestions to follow after sexual assault:
1. Get to a safe place as soon as you can.
2. Contact the Police Department at 485-0911.
3. 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.
4. Try to preserve all physical evidence. Do not wash, use the toilet, 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.
5. Talk with a counselor who will maintain confidentiality, help explain your options, give your information, and provide emotional support. You can reach a counselor by calling the San Antonio Rape Crisis Center Hotline at 210 349-7273 or their front office at (210-521-7273).
6. Contact someone you trust to be with you and support you.

Medical Treatment
It is important to seek immediate and follow-up medical attention for several reasons:
1. First, to assess and treat any physical injuries you may have sustained;
2. Second, to determine the risk of sexually transmitted diseases or pregnancy and take preventive measures; and
3. Third, to gather evidence that could aid criminal prosecution.

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.

Domestic Violence (Family Violence)
Victims of domestic violence (family violence) are strongly encouraged to report the incident to the Alamo Colleges Police Department immediately.

The Higher Education Act (HEA) defines the crime category of “domestic violence” in accordance with section 40002(a) of the Violence Against Women Act of 1994 as follows:
“Domestic Violence” means a “felony or misdemeanor crime of violence committed by ---
- A current or former spouse or intimate partner of the victim,
- A person with whom the victim shares a child in common,
- A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies [under VAWA] (Violence Against Women's Act), or
- Any other person against an adult or youth victim who protected from that person’s acts under the domestic or family violence laws of the jurisdiction.”

The Texas Family Code defines “Domestic Violence” as Sec. 71.004. FAMILY VIOLENCE. “Family violence” means:
(1) an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself;
(2) abuse, as that term is defined by Sections 261.001(1)(C), (E), and (G), by a member of a family or household toward a child of the family or household; or
(3) dating violence, as that term is defined by Section 71.0021.

Guidelines or suggestions to follow after a Domestic Violence situation:
1. Get to a safe place as soon as you can.
2. Contact the Police Department at 485-0911.
3. 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.
4. Try to preserve all physical evidence. Do not wash, use the toilet, 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.
5. Talk with a counselor who will maintain confidentiality, help explain your options, give your information, and provide emotional support.
6. Contact someone you trust to be with you and support you.
7. Resources available:
   - Bexar County Family Justice Center, 1123 N. Main Avenue, Suite 100, San Antonio, Texas 78212
   Telephone Number (210) 631-0100 Website: www.bcfjc.org
   - Battered Women’s Shelter (210) 733-8810
   - Department of Family and Protective Services 1-800-252-5400
   - Bexar County Criminal District Attorney’s Office- Victim Assistance Division (210) 335-2105
   - Bexar County Sheriff’s Office (210) 335-6000
   - San Antonio Police Department (210) 207-7273
   - Victim Information & Notification Everyday (VINE) 1-877-894-8463
   - The National Domestic Violence Hotline 1-800-799SAFE (7233) or 1-800-787-3224 (TTY)
   - Family Violence Prevention Services, Inc., 7911 Broadway, San Antonio, Texas 78209
   Telephone Number (210) 733-8810 Website: www.fvps.org

Dating Violence
Victims of dating violence are strongly encouraged to report the incident to the Alamo Colleges Police Department immediately.

The Higher Education Act (HEA) defines the crime category of “dating violence” in accordance with section 40002(a) of the Violence Against Women Act of 1994 as follows:
“Dating Violence” means violence committed by a person ---
- Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- Where the existence of such a relationship shall be determined based on a consideration of the following factors;
- The length of the relationship;
- The type of relationship; and
- The frequency of interaction between the persons involved in the relationship.”

The Texas Family Code defines “Dating Violence” as Sec. 71.0021. DATING VIOLENCE. (a) "Dating violence" means an act, other than a defensive measure to protect oneself, by an actor that:

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

Guidelines or suggestions to follow after a Dating Violence situation:
1. Get to a safe place as soon as you can.
2. Contact the Police Department at 485-0911.
3. 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.
4. Try to preserve all physical evidence. Do not wash, use the toilet, 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.
5. Talk with a counselor who will maintain confidentiality, help explain your options, give your information, and provide emotional support.
6. Contact someone you trust to be with you and support you.
7. Resources available:
   - Bexar County Family Justice Center, 1123 N. Main Avenue, Suite 100, San Antonio, Texas 78212
     Telephone Number (210) 631-0100 Website: www.bcfjc.org
   - Battered Women’s Shelter Telephone (210) 733-8810
   - Department of Family and Protective Services 1-800-252-5400
   - Bexar County Criminal District Attorney’s Office- Victim Assistance Division (210) 335- 2105
   - Bexar County Sheriff’s Office (210) 335-6000
   - San Antonio Police Department (210) 207-7273
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   - Family Violence Prevention Services, Inc., 7911 Broadway, San Antonio, Texas 78209
     Telephone Number (210) 733-8810 Website: www.fvps.org

Stalking
Victims of stalking are strongly encouraged to report the incident to the Alamo Colleges Police Department immediately. The Higher Education Act (HEA) defines the crime category of “stalking” in accordance with section 40002(a) of the Violence Against Women Act of 1994 as follows:
“Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to
- Fear for his or her safety or the safety of others; or
- Suffer substantial emotional distress.
The Texas Penal Code defines “Stalking” as Sec. 42.072. STALKING. (a) A person commits an offense if the person, on more than one occasion and pursuant to the same scheme or course of conduct that is directed specifically at another person, knowingly engages in conduct that:

(1) constitutes an offense under Section 42.07, or that the actor knows or reasonably should know the other person will regard as threatening:
   (A) bodily injury or death for the other person;
   (B) bodily injury or death for a member of the other person's family or household or for an individual with whom the other person has a dating relationship; or
   (C) that an offense will be committed against the other person's property;

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

(3) would cause a reasonable person to:
   (A) fear bodily injury or death for himself or herself;
   (B) fear bodily injury or death for a member of the person's family or household or for an individual with whom the person has a dating relationship;
   (C) fear that an offense will be committed against the person's property; or
   (D) feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended.

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

(1) the laws of another state;
(2) the laws of a federally recognized Indian tribe;
(3) the laws of a territory of the United States; or
(4) federal law.

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

(d) In this section:

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

Guidelines or suggestions to follow after a Stalking situation:

1. Get to a safe place as soon as you can.
2. Contact the Police Department at 485-0911.
3. 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.
4. Try to preserve all physical evidence. Do not wash, use the toilet, 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.
5. Talk with a counselor who will maintain confidentiality, help explain your options, give your information, and provide emotional support.
6. Create a safety plan with the assistance of trained professionals.
7. Keep a log and document all stalking behaviors including e-mails, phone messages and any other electronic device communication to include social media sites.
8. Apply for a Protective Order with local resource advocates.
9. Use caution with use of electronic devices that may have GPS- Global Positioning Services capabilities.
10. Protect your personal information from social media sites.
11. Contact someone you trust to be with you and support you.
12. Resources available:
   - Bexar County Family Justice Center, 1123 N. Main Avenue, Suite 100, San Antonio, Texas 78212
     Telephone Number (210) 631-0100 Website: www.bcfjc.org
   - Battered Women’s Shelter Telephone (210) 733-8810
   - Department of Family and Protective Services 1-800-252-5400
   - Bexar County Criminal District Attorney’s Office- Victim Assistance Division (210) 335-2105
   - Bexar County Sheriff’s Office (210) 335-6000
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   - Family Violence Prevention Services, Inc., 7911 Broadway, San Antonio, Texas 78209
     Telephone Number (210) 733-8810 Website: www.fvps.org

Procedures to Follow
Anyone who is a victim of any form of sexual assault, domestic & dating violence, and stalking should immediately call the ACPD by dialing 485-0911 or 911. Reporting this type of crimes does not mean that the victim must press charges or take the case to criminal trial and/or a college campus disciplinary hearing. Even if a victim is undecided about filing criminal charges, calling the police, preserving evidence, and going to the hospital will provide for their emotional and medical needs and preserve the option to file criminal charges at a later time. Anyone who believes he or she has been a victim of sexual assault, sexual harassment, or sexual violence to include stalking, is encouraged to contact the District Title IX Coordinator http://www.alamo.edu/TitleIXCoordinator/ (210.485.0230) or the College Vice President for Student Success on campus. Victims may also report in a confidential manner to a Counselor at any College Campus Counselor’s Offices.

Protective and No Contact Orders:
Victims of sexual assault, domestic & dating violence, and stalking have the right to seek restraining, judicial no-contact and/or protective orders, and internal no-contact, interim suspension, and criminal trespass warnings to maintain individual and campus safety. Protective Orders may prohibit the offender from committing further acts of family violence; or harassing or threatening the victim, either directly or indirectly by communicating the threat through another person. A “No Contact Order” is a court order or administrative order that prohibits someone from contacting another person in any way. Texas law provides for the criminal enforcement of valid protective orders issued by a Texas court and valid out of state protective orders. For more information on protective orders, contact the ACPD Crime Prevention Unit at 210 485-0094 or the Bexar County Family Justice Center at 210-335-0148.

Changes in Academic and Living Situation
The Title IX/VII/ADA/504 Coordinator can assist the victim of a sexual assault, domestic & dating violence, and stalking with issues including, but not limited to, interim remedies required to protect the victim, the campus and/or workplace safety (Sanctions, discipline, class schedule changes, suspension, etc.) if so requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

If the reporting student provides credible evidence that the accused student presents a continuing danger to a person or property or possesses an ongoing threat of disrupting the academic process, the Title IX Coordinator may take interim action against the accused student, as appropriate.

Title IX Requirements
Title IX prohibits discrimination on the basis of sex (gender) in education programs of activities operated by recipients of Federal financial assistance. Sexual Harassment of students, which includes acts of sexual violence, is a form of sex discrimination prohibited by Title IX. Title IX requires the Alamo Colleges to take immediate action to eliminate harassment, prevent its recurrence, and address its effects. The Title IX Coordinator is responsible for administrative investigation of claims of sexual harassment and sexual violence, and ensuring there are appropriate grievance procedures for prompt and equitable resolution of student sex discrimination complaints. The Alamo College’s Title IX investigation is different from a law enforcement investigation, and a law enforcement investigation does not relieve the Alamo Colleges of its independent Title IX obligation to investigate conduct.

Questions and Answers on Title IX and Sexual Violence may be viewed by clicking the U.S. Department of Education, Office for Civil Rights, [http://www2.ed.gov/about/offices/list/ocr/docs/qa-201404-title-ix.pdf](http://www2.ed.gov/about/offices/list/ocr/docs/qa-201404-title-ix.pdf).

H.1.1 Attachment A – Title IX/VII/ADA/504 Coordinator Organization

Procedures for Campus Disciplinary Action
A student may choose to report the assault to the Chief Student Conduct Officer (Dean of Student Success) or Designee for disciplinary action regardless of whether or not the student has decided to press criminal charges. A student may also file a report of sexual assault, domestic and dating violence, and stalking against another student, or a faculty or staff member, by directly contacting the Deputy Title IX Coordinator for each campus (Vice President for Student Success). All Deputy Title IX Coordinators and their Designees must receive annual training on issues related to sexual assault, domestic & dating violence, and stalking and how to conduct investigations and hearings that protect the safety of victims and promotes accountability.

For detailed information, click:
H.1.2.1 (Procedure) Civil Rights Complaint and Resolution Procedure:
H.1.2.1 Civil Rights Complaint (diagram) click:

Complaint and Resolution Process
The complaint and resolution process is designed to receive, investigate, evaluate and resolve a complaint or report of civil rights discrimination, harassment or retaliation within sixty (60) days and will be conducted with that end in mind. A Procedure Diagram outlining the process steps and roles is attached to this procedure (see Attachment A).

The primary steps in the process are:
1. Victim or witness notifies the Title IX/VII/ADA/504 Coordinator, Deputy Coordinator, Administrator or ACPD (Alamo Colleges Police Department) of a violation or potential violation.
2. Title IX/VII/ADA/504 Coordinator helps reporter prepare a formal complaint or report.
3. Title IX/VII/ADA/504 Coordinator notifies ACPD if the matter is also a potential police matter.
4. Title IX/VII/ADA/504 Coordinator establishes any interim remedies required to protect campus and/or workplace safety (such as suspension of employee or student).
5. Title IX/VII/ADA/504 Coordinator designates a trained Deputy Coordinator and trained Investigative Panel to conduct complaint resolution.
6. Deputy Coordinator provides concurrent official notice of the complaint to the complaining and accused parties and the senior College or DSO administrator(s) for the parties.
7. Investigative Panel launches an investigation to include interviewing witnesses and collecting evidence.
8. Investigative Panel concludes the investigation.
9. Investigative Panel provides concurrent preliminary findings to all parties with a five (5) day opportunity for complainant and accused to provide any additional information for consideration by the Panel.
10. Investigative Panel considers and may investigate any additional information provided.
12. Deputy Coordinator renders an appropriate Resolution of the complaint based on the Investigation Panel’s Final Report of Investigative Findings and the preponderance of all evidence collected by the Panel.
13. Deputy Coordinator provides a written Resolution concurrently to the complainant, accused and senior College or DSO administrator(s).
14. Deputy Coordinator refers any recommendations for employee discipline and/or student sanctions to the responsible administrator for evaluation and action.
15. The responsible Administrator implements appropriate Discipline or Sanctions, separate and apart from the Complaint Resolution Procedure but within, or as close to, the sixty (60) day Resolution Period as possible.
16. Complainant and Accused each have the opportunity to accept the Resolution or submit an Appeal to the Title IX/VII/ADA/504 Coordinator.
17. Appeals are processed in accordance with Civil Rights Appeal Procedure (H.1.2.2).

After disciplinary action is communicated to the student against whom a complaint was made, the reporter of the complaint will be notified in writing that his/her complaint or allegations of non-academic misconduct have been investigated, and of the disciplinary sanctions imposed on the student who was found responsible.

Administrative Disposition of Complaint and Violations
After the investigation is completed, one of the following will be decided:
1. To dismiss the complaint/reported allegations as unfounded based on the preponderance of the evidence; or
2. To proceed with disciplinary action because the allegations in the complaint or report are determined to be true based on the preponderance of the evidence.

A report or complaint of an alleged violation of the Student Code of Conduct should be documented in writing or through the electronic reporting system. When the Chief Student Affairs Officer, Dean of Student Success, or designee receives information or a report that a student has allegedly violated the Student Code of Conduct, the Chief Student Affairs Officer, Dean of Student Success, or designee, such as the Student Conduct Officer, if any, shall investigate the alleged violation. An investigation may be hampered or may not take place if the complaint or report is anonymous. The person who conducts the investigation is deemed to be the “Investigator.” Some violations of the Student Code of Conduct also may constitute violations of the Civil Rights Discrimination, Harassment and Retaliation Policy at H.1.2. If such violations have also been reported to Campus Police and the Title IX/VII/ADA/504 Coordinator, separate investigations may occur.

Based on Board Policy: F.4.2 – Student Code of Conduct and F.4.2.2 (Procedure) Non-Academic Misconduct Disciplinary Process, Vice Chancellor for Student Success / Vice Chancellor for Academic Success are responsible departments for the Disciplinary and Appeal Process

Institutional Standard of Evidence
The standard of evidence in determining responsibility for an alleged violation of the Student Code of Conduct (F.4.2.1) and other Board Policies to include the policy on Civil Rights Discrimination, Harassment and Retaliation (H.2.1) is a preponderance of the evidence. Preponderance of the evidence is defined in the Student Code of Conduct (F.4.2.1) as “the greater weight of credible evidence (more likely than not).” Legal rules of evidence do not apply to hearings or meetings involving the disciplinary and appeal process. Evidence tending to prove or disprove the allegations will be considered. Irrelevant, immaterial and unduly repetitious evidence and evidence deemed not reasonably reliable or authentic shall be excluded. If he student chooses not to testify or present his / her case, the student may nonetheless be questioned, but the student may refuse to answer. If the student refuses to testify or answer or present his / her case, only the evidence presented by the College will be considered in rendering a decision. If the student does testify or present evidence, he / she may be questioned by the Officer presenting the College’s case or committee members.
Privileged communications between a student and a member of the professional counseling staff will be recognized. However, if the information disclosed presents an actual or threatened harm to the health, safety or wellbeing of any person (including the student), the information may be used for any appropriate purpose, including referral to the Strategies of Behavioral Intervention (SOBI) process.

Legal rules of evidence do not apply to hearings or meetings involving the disciplinary and appeal process. Evidence tending to prove or disprove the allegations will be considered. Irrelevant, immaterial and unduly repetitious evidence and evidence deemed not reasonably reliable or authentic shall be excluded. If he student chooses not to testify or present his / her case, the student may nonetheless be questioned, but the student may refuse to answer. If the student refuses to testify or answer or present his / her case, only the evidence presented by the College will be considered in rendering a decision. If the student does testify or present evidence, he / she may be questioned by the Officer presenting the College’s case or committee members.

Privileged communications between a student and a member of the professional counseling staff will be recognized. However, if the information disclosed presents an actual or threatened harm to the health, safety or wellbeing of any person (including the student), the information may be used for any appropriate purpose, including referral to the Strategies of Behavioral Intervention (SOBI) process.

Sanctions That May Be Imposed

The disciplinary actions assessed in a particular case will be dependent upon the nature of the conduct involved, the circumstances and conditions which existed at the time the student engaged in the conduct, and the results which followed as a natural consequence of the conduct.

Sanctions can include:
1. Warning
2. Administrative Hold
3. Educational Enrichment
4. Probation
5. Suspension
6. Expulsion
7. Withholding Diploma
8. Revocation of Degree
9. Organizational Sanctions
10. Other Actions

The Alamo Colleges will, upon written request, disclose to the alleged victim of any crime of violence, or a non-forcible sex offense, the results of any disciplinary proceedings conducted against a student who is the alleged perpetrator of such crime or offense with respect to such crime or offense. If the alleged victim of such crime or offense is deceased as a result of the crime / offense, the victim’s next of kin shall be treated as the alleged victim.

Victims’ Bill of Rights

The United States Congress enacted the “Campus Sexual Assault Victim’s Bill of Rights” as a part of the Higher Education Amendments of 1992, as amended by the Campus Sexual Violence Elimination Act (Campus SaVE). This law requires that all universities afford sexual assault victims certain basic rights such as:

- Accuser and accused must have the same opportunity to have others present including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice.
- Both parties shall be simultaneously informed of the outcome of any disciplinary proceeding in writing.
- Survivors shall be informed of their options to notify law enforcement, including on-campus and local police.
- Survivors shall be notified of counseling services.
Survivors shall be notified of options for changing academic and living situations, transportation and working situations, if so requested by the victim and if such accommodations are reasonable available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

Sex Offenders Registry
The “Campus Sex Crimes Prevention Act” is a federal law enacted on October 28th, 2000 that provides for the tracking of convicted, registered sex offenders enrolled as students at institutions of higher education, or working or volunteering on campus.

This act amends the Family Educational Rights and Privacy Act of 1974 to clarify that nothing in that Act may be construed to prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders and requires the Secretary of Education to take appropriate steps to notify educational institutions that disclosure of this information is permitted.

Information about registered sex offenders may be found on the Texas Department of Public Safety web page at https://records.txdps.state.tx.us/SexOffender/or by contacting the Alamo Colleges Police Department.

Missing Students Who Reside In On-Campus Housing
If a member of the Alamo Colleges community has reason to believe that a student who resides in on-campus housing is missing, he or she should immediately notify the Alamo Colleges Police Department at 210 485-0911. ACPD will generate a missing person report and initiate an investigation.

After investigating the missing person report, should ACPD determine that the student is missing and has been missing for more than 24 hours; the Alamo Colleges will notify the students’ designated emergency contact(s) no later than 24 hours after the student is determined to be missing.

If a missing student is under the age of 18 and is not an emancipated individual, the Alamo Colleges will notify the student’s parent or legal guardian immediately after ACPD has determined that the student has been missing for more than 24 hours in addition to notifying the additional emergency contact person(s) designated by the student. In addition to registering an emergency contact, students residing in on-campus housing have the option to select a confidential contact person to be contacted by the Alamo Colleges in the event the student is determined to be missing for more than 24 hours. If a student has selected a confidential contact person, the Alamo Colleges will notify that person no later than 24 hours after the student is determined to be missing. Students who wish to identify and select a confidential contact can do so through their respective on-campus housing management. Depending on jurisdictional issues, the ACPD will lead missing person investigations and/or assist outside law enforcement agencies in the furtherance of a missing person investigation and share relevant investigative information.

Policy for Reporting the Annual Disclosure of Crime Statistics
The Alamo Colleges Police Department prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This report is prepared in cooperation with the local law enforcement agencies, the Student Services and the Dean of Student Life at each campus. Each entity provides updated information on their educational efforts and programs to comply with the Act.

Campus crime, and referral statistics include those reported to the Alamo Colleges Police Department, designated campus officials (including but not limited to directors, deans, department heads, advisors to students/student organizations, athletic coaches), and local law enforcement agencies.

Each year, an e-mail notification is made to all current students, faculty and staff that provide the web site to access this report. Upon request, prospective students and employees may obtain a copy of the report at the Alamo Colleges Police Department located at 201 W. Sheridan Bldg. C; by calling (210) 485-0099; or on the web at http://www.alamo.edu/district/police/
## 2014 CAMPUS CRIME REPORT
(Based on 2012, 2013, 2014 Data)

Alamo University Center
8200 Pat Booker Road, Live Oak, TX 78233

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<td>On Campus</td>
<td>Non-Campus</td>
<td>Public Property</td>
<td>Total</td>
<td>Unfounded Crimes</td>
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**HATE CRIME REPORTING:**

There were no hate crimes reported for 2014.
There were no hate crimes reported for 2013.
There were no hate crimes reported for 2012.
Texas State Technical College – Harlingen MIT-C (TSTC reports their data to the Department of Education directly)

Texas A&M University – Kingsville Students attending classes as Texas State Technical College (TSTC), 1902 North Loop 499, Harlingen, Texas 78550, Phone: 1-800-852-8784

All persons who reside, work, attend college or visit Texas State Technical College are responsible for protecting their own property and should take appropriate measures in preventing losses. Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings or around the student dorms should be reported to the college police department.

The college community is encouraged to report all crimes and public safety related incidents to the college police department in a timely manner to aid in providing timely warning notices to the college community, when deemed appropriate. Crimes should be reported to the college police department to ensure inclusion in the annual crime statistics.

The College community is encouraged to report crimes, emergencies, and safety concerns by calling the following numbers.

  TSTC Police Emergency  
  From an on-campus phone  
  Ext.: 4220 or 873-COPS (2677)  
  From an off-campus phone  
  Dial 956-364-4220 or 956-873-COPS (2677)

  TSTC Crime Stoppers Inc. (to report crime tips)  
  956-364-4TIP

  TSTC Safety Department  
  Ext: 956-364-4218  
  TSTC Housing Department  
  Ext.: 956-364-4236

  Harlingen Police Department  
  Emergency: 9-911  
  Business: 956-216-5400  
  When reporting an emergency, please provide your name, location, and brief description of the emergency.

  Clery Report information for the TSTC campuses, including the Harlingen campus, is on-line:  
  http://www.tstc.edu/about/clery

Texas State Technical College 2014 Campus Crime Statistics – University Center
  (Based on 2014 Data provided by TSTC Police department)
Message From the Chief

Welcome to TSTC Harlingen!
As an organization, the Texas State Technical College (TSTC) Harlingen Police Department commits to working continually to earn the confidence of the students, faculty, staff and visitors of TSTC. A confidence that will not be taken for granted. The department fulfills this commitment by providing the best and most professional services possible, and by striving to build a culture of trust, and open and honest dialogue, with the community it serves and among the people it employs. The Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act is the landmark federal law that requires colleges and universities across the country to disclose information about crime on campus and around their campuses. The Clery Act is named in memory of 19-yearold Lehigh University freshman Jeanne Ann Clery who was sexually assaulted and murdered while asleep in her residence hall room in April 1986. For more information on the Clery Act visit the US Department of Education at http://www2.ed.gov/admins/lead/safety/campus.html

The TSTC Police Department prepares this report to comply with the Clery Act. This report is prepared in cooperation with local law enforcement agencies in the area, Housing and Student Development, additional security authorities and other departments which may have information necessary to comply with the Clery Act. Each entity provides updated information on their educational efforts and programs to comply with the Act. Campus crime, arrests and referral statistics include those reported to the Campus Police, designated campus officials (including but not limited to campus security authorities), and local law enforcement agencies. Crime statistics are collected from public property immediately adjacent to campus and all off campus locations either owned or controlled by the college. Copies of this report may be obtained at the following locations:
Harlingen Campus
1902 North Loop 499
Harlingen, Texas 78550
The 2014 Annual Security Report is published to provide information about programs, services and statistical information in compliance with the Jeanne Clery Disclosure of Campus Policy and Crime Statistics Act for 2011, 2012 and 2013. If you have any questions, or need additional information please contact the TSTC Police Department at 956-364-4220.

Respectfully,
Aurelio Torres
Chief of Police

Overview
The TSTC Police Department in cooperation with designated campus officials, prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Campus crime, arrest and referral statistics include those reported to the TSTC Police, designated campus officials, and crime statistics from law enforcement agencies with jurisdiction surrounding the TSTC campus. This report includes statistics for the previous three years concerning reported crimes that occurred on campus, and on any public property within, or immediately adjacent to and accessible from the campus. The report includes institutional policies concerning campus security, alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, and other matters required by law. This report is made available to all members of the college community and the public. Each year, an e-mail notification is made to currently enrolled students, faculty and staff of the availability of this report. For further information about the police department or the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act view the police department website located at www.harlingen.tstc.edu/police or by contacting the TSTC Police Department at 956-364-4220.

College Police Jurisdictional Enforcement and Arrest Authority
The TSTC Police Department is responsible for law enforcement, security and emergency response on campus. Investigations may lead to the arrest of suspects, recovery of lost/stolen property and clearance of suspects of any wrong action, or recommendation and action to improve the safety of the college community.

TSTC Police Officers are certified by the Texas Commission on Law Enforcement (TCOLE) and meet the established training requirements of the State of Texas. All college peace officers operate under the authority of article 51.203 of the State of Texas Education code, are armed with firearms and have complete police authority to apprehend and arrest anyone involved in illegal acts on campus, areas immediately adjacent to the campus, and all property that is owned, leased, rented or otherwise under the control of TSTC.

Monitoring off-campus activity
TSTC does not have any off-campus student organizations, however the TSTC Police monitors off-campus sponsored events and property that is leased, rented or otherwise under the control of TSTC.

Working Relationship with State and Local Police
The TSTC Police Department maintains a highly professional working relationship with the Harlingen Police Department, Valley International Airport Police, Cameron County Sheriff’s Office, and the Texas Department of Public Safety. All crime victims and witnesses are encouraged to immediately report the crime to the College Police or the appropriate police agency.

Emergency Response and Evacuation Procedures
Emergency Response
TSTC has an Operational Resilience Planning Group that is responsible for the overall handling for emergency situations on campus or those that occur in the local or regional area affecting the campus. Under the direction of the President, the college has developed a comprehensive Operational Resiliency Plan that outlines steps the college will take to prevent and mitigate, prepare for, respond to, and recover from a full range of likely hazards the college may face. To ensure these plans remain current and actionable, the college will conduct an emergency management exercise, at a minimum once yearly. These exercises may include tabletop drills, emergency management exercises, or full-scale response exercises. The college conducts after-action reviews of all emergency management exercises.

The college police officers and supervisors have received training in the National Incident Management System (NIMS). When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually the College Police Officers and the Safety Health Environmental Affairs (SHEA) officer. Depending on the nature of the incident, other local or federal agencies could be involved in responding to the incident.

Evacuation Procedures
TSTC has implemented a comprehensive notification system to provide prompt warning notifications and alerts of emergencies or threats to the campus community using a variety of methods, including but not limited to: email notices, phone, cellular phone, text messages, posters, college website notices, and other methods. The College President, Vice President for Student Development, Vice President for Financial and Administrative Services, Vice President for Student Learning or the Chief of College Police will notify the campus community of emergencies or crimes that have occurred and necessitate caution, evacuation, or other action on the part of students, employees, and campus visitors. The campus community will be “immediately” notified upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus unless the notification will compromise efforts to contain the emergency.

The TSTC Police, and when applicable, members of the TSTC Emergency Operations Team will confirm weather-related emergency situations by monitoring weather information put out by local and national organizations, and through witnessing weather emergencies first-hand (i.e. a tornado has been spotted). For other emergencies such as fire or imminent threats, the ranking officer on duty is responsible for consulting with sworn staff of the police department, local police department(s) (as deemed necessary), and with other campus authorities (as deemed necessary) in making the determination on a case-by-case basis.

In the event a notification is necessary, the TSTC Police Department, with input from the Emergency Operations Team will determine the content of the notification. At a maximum, each notification will describe the nature of the emergency, and steps the campus community should take to protect themselves.

Members of the larger community who are interested in receiving information about emergencies on campus should sign up with the TSTC emergency notification system and monitor the TSTC website and local television news reports. Given the size of our campus, every member of the campus community will receive notifications when they are warranted, regardless of the location of the incident. While an incident may be contained within a specific segment of the campus, we feel notifying everyone enables everyone has the opportunity to make appropriate decisions to protect their individual safety.

Evacuation Steps
Students, faculty and staff should follow the below steps when evacuating buildings:
1. Evacuate when prompted by continually sounding fire alarms or by an official announcement.
2. Be aware of and make use of designated primary and alternate evacuation routes.
3. Close classroom or office doors as you leave.
4. Leave the building in an orderly manner without rushing or crowding. Do not use the elevator.
5. Provide aid to those who need it in an emergency evacuation situation.
6. Be aware of and follow instructions given by TSTC Police and other officials. You may be asked to proceed on foot to designated areas or evacuate the campus entirely.
a. Always evacuate crosswind and/or upwind away from any emergency by a safe route.
b. Evacuate to at least 300 feet from the building and out of the way of emergency vehicles.
7. Report to emergency responders any individuals who have been injured or left behind.
8. Do not re-enter the building until all-clear is given by official announcement.

What is an evacuation emergency?
In most cases, evacuations apply only to the buildings that are immediately affected. In some cases, such as local terrorism, flooding or earthquake, the evacuation could apply to the entire campus. Some potential causes for emergency evacuations may include but are not limited to: a major fire or explosion, hazardous materials release, chemical/biological/radiological spill, structural failure, asbestos release, bomb threat, weapons, or an aircraft collision with a building.

Severe or Inclement Weather Procedures
Students, faculty and staff should follow the below procedures in the event of a severe or inclement weather warning:
1 Seek shelter immediately in designated areas.
2. If you’re inside a building:
   a. Go to the lowest level of the building, if possible.
   b. Stay away from windows.
   c. Go to an interior hallway.
   d. Use arms to protect head and neck in a “drop and tuck” position.
3. If there is no time to get inside:
   a. Lie in a ditch or low-lying area or crouch near a strong building.
   b. Be aware of potential for flooding.
   c. Use arms to protect head and neck in a “drop and tuck” position.
   d. Use jacket, cap, backpack or any similar items, if available, to protect face and eyes.

Seeking Shelter: Tornados
Tornado Procedures:
In the event of a tornado watch or warning, students, faculty and staff should take the following steps.
1 Dial 956-364-4220 or 873-2677 to report tornado sighting to the TSTC Police.
2. Seek a safe shelter inside a building, in a ditch or beside an embankment.
   a. Use interior hallways away from building’s exterior windows as a tornado shelter.
   b. Avoid all windows and other glassed areas.
   c. Avoid the most dangerous locations of a building, usually along south and west sides and at corners.
2. Protect yourself by going into a “drop and tuck” position.

Timely Warnings
In the event that a situation arises, that in the judgment of the TSTC Chief of Police, constitutes an ongoing or continuing threat to safety, a campus-wide “Timely Warning/Safety Alert” will be issued. If the police is searching for a particular person, in relation to a criminal act, a Police Crime Alert will be issued that will include general information about the person sought and a possible photograph. This crime alert will clearly state if the person is a “high or low risk” individual. The warning may be issued through the TSTC Emergency Notification System, TSTC email system or posted fliers. If the situation is of a general risk (no physical harm is involved) and only affects a certain area of the campus a “Zoned Warning” will be implemented which will consist of posters or fliers within the affected area.
Anyone with information warranting a timely warning should report the circumstances to the TSTC Police by telephone at 364-4220. The circumstances may also be reported in person to the TSTC Police; the TSTC police department is located within the Public Safety Building (Bldg. A). In Title IX related warnings, victims’ names will be withheld.

Emergency Notification System
Activation of the emergency mass notification system TSTC has contracted with Everbridge to offer an Emergency Notification System (ENS) to the TSTC community. The ENS is designed to send emergency messages to participating TSTC community members via SMS (text) messages, cellular and land line telephones and/or e-mail when circumstances dictate. The ENS is part of the TSTC overall emergency communication plan. The ENS will be used when a situation exists that presents an imminent danger to members of the TSTC community.

An “imminent danger” is one that threatens the immediate safety of members of the TSTC community, is normally not anticipated, and failure to provide such a warning may result in serious harm. Examples of such emergencies are weather-related events such as tornado, flooding, icy road conditions, etc., a chemical or hazardous material spill or an armed and actively violent person. ENS messages will not be used unless the situation is determined to pose an imminent danger of significant risk to the health and safety of members of the TSTC community and requires immediate action.

Crime Log
The TSTC Police Department maintains a Crime Log, with summary information about crimes and reports taken by the college police. The Crime Log entries include all crimes reported to the campus police for the required geographic locations, not just Clery Act crimes. The Crime Log is open for public inspection during normal business hours.

Missing Student Notification
If a member of the college community has reason to believe that a student who resides in on-campus housing is missing, he or she should immediately notify the TSTC Police Department at 956-364-4220. TSTC Police will generate a missing person report and initiate an investigation. After investigating the missing person report, should the TSTC Police determine that the student is missing and has been missing for more than 24 hours, TSTC Police will notify the student’s emergency contact, or confidentially identified individual, no later than 24 hours after the student is determined to be missing. If the missing student is under the age of 18 and is not an emancipated individual, TSTC Police will notify the student’s parent or legal guardian immediately after TSTC Police has determined that the student has been missing for more than 24 hours.

In addition to registering an emergency contact, students residing in on-campus housing have the option to identify, confidentially, an individual to be contacted by TSTC in the event the student is determined to be missing for more than 24 hours.

Security And Access To Campus Facilities
The campus and properties of TSTC are maintained for use by students, faculty, and staff. Access to the campus facilities may be restricted as necessary to meet safety and security requirements as determined by College Officials. Some buildings have late hour access to certain areas that are locked after normal business hours. Access to classrooms and office buildings for special events after normal business hours, weekends and holidays is coordinated with the College Police. The College Police Officers shall be responsible for opening and securing the buildings. Many of the buildings, offices, labs, computer rooms and other areas of campus are equipped with electronic access and select facilities are monitored by video surveillance.

Custodians are responsible for opening all building entrance doors for operational days and hours and for securing the building entrance doors at closing. The buildings are opened at 7 a.m. and closed by 9 p.m. each day. College faculty is responsible for opening and closing their respective classrooms and faculty offices. Custodians and college police are responsible for verifying that all classrooms are secured at the end of each day.
A person without a key and needing access to a particular room should first contact the department chairperson or their supervisor to open the door. In order to protect the safety and welfare of students, employees, and other participants in the programs and activities of the college, it shall be unlawful for any person who is on the property to refuse to identify himself or herself in response to a request by an institutional representative. Persons having no legitimate business to enter on campus may be ejected from the campus on his or her refusal to leave peaceably on request.

Security Considerations Used in Maintenance
The Physical Plant Department has the responsibility to maintain campus buildings, grounds and utility systems for the TSTC (with some work performed by contractors) and takes security services needs as its highest priority. Employees are encouraged to report maintenance problems such as missing lights, plumbing problems, or elevators that are not in service.

Requests for maintenance and repair services may be made by telephone and by email to the Physical Plant at:
Phone: 956-364-4207 and
Email: physical.plant@harlingen.tstc.edu

A. An emergency (utility failure, failure of a fire protection system; heating/cooling, or security alarm system, certain fire or safety hazards, etc.) will be responded to immediately. If the request is urgent (fire, health, or safety hazards not qualifying as an emergency) Maintenance will strive to complete the request within five working days.
B. Routine requests will normally be completed in 30 days if supplies are in stock. The individual submitting the request for service will be provided the work order number for purposes of tracking and will refer to that number for any follow-up action required.

College Physical Plant Director or designee will review the work to be completed and approve or disapprove the work order.
A. Physical Plant Director will certify the availability of funds for minor construction work and appoint a maintenance supervisor to be point-of-contact for the college with the Facilities Department.
B. Physical Plant Director will contact the Associate Vice President for Administrative Services with concerns relating to work order and remodeling/construction requests.

The TSTC Police Department surveys campus lighting and monitors those areas having defective fixtures and reports the deficiencies to the appropriate personnel for corrective action.

Emergency Call Boxes
To enhance the security of the TSTC community, outdoor emergency call boxes can be found at the following locations.
• LRC (Dr. J. Gilbert Leal Learning Resource Center) - Call Box 1
• Bldg. W (Rep. Irma Rangel Science and Technology Building) - Call Box 2
• University Center - Call Box 3
All emergency call boxes are connected directly to the College Police Department. If for some reason the phone is not answered by a TSTC Police Officer, the call will forward to the Harlingen Police Department.

Security Awareness & Crime Prevention Programs
The TSTC Police department promotes crime prevention and safety awareness programs through the distribution of materials, posters and presentations geared towards familiarizing students, faculty and staff with their responsibility in reducing crime and practicing personal safety at TSTC. The TSTC State of Texas Crime Stoppers Program assists the students, staff and faculty in solving crimes that are committed on this campus.

Safety Escorts
On-campus safety escorts are provided 24 hours a day, 7 days a week.

Community Oriented Policing
The TSTC Police with the assistance of other campus departments sponsors the annual National Night Out event. National Night Out is designed to heighten crime and drug prevention awareness; generate support for, and participation in, local anticrime programs; strengthen the college community spirit and police partnerships; and send a message to criminals letting them know that the college community is organized and fights back.

Operation Identification
This is an on-going program that involves the engraving of students’ valuable personal items with a driver’s license number or other personal identification number.

Lost & Found
Lost and found items are turned over to the college police department custodian, who makes every effort to return the items to the owner. If an owner cannot be contacted, the property will be held for 60 days, after 60 days unclaimed property will be disposed of at the discretion of the Chief of Police.

Crime Stoppers
As a nonprofit organization, the TSTC Harlingen Crime Stoppers involves the college community, the media and law enforcement in the fight against crime. Cash rewards are offered to students and TSTC community members who furnish information leading to the arrest or indictment of crime offenders.

Safety Tips
Presentations are held on steps to take to help prevent crime and increase your safety on and off campus, for your personal safety, and safety of your personal property.

Behavior Intervention Team
The goal of the Behavior Intervention Team (BIT) is to aid in developing support plans to encourage student, health, and well-being in academic success by an active process of threat assessment and behavioral intervention. The BIT’s purpose is to provide a systematic response to students (and employees) whose behavior is perceived as a threat to themselves or others in order to protect the health, safety and welfare of the students and members of the college community. The BIT is comprised of college employees (College Police, Student Life and Engagement, Housing, Counseling, Faculty and Staff Members, Chief of Safety, etc.) and it is Chaired by the Director of Community Standards. Any member of the college community who has reason to believe that a student may pose a direct threat to him/herself or others may report the concern by completing the Incident Report Form on the BIT website found at www.tstc.edu/harlingenbit/incidentreport, by contacting the Director of Community Standards, College Police, the Vice President for Student Development, or any BIT Member.

Employee BIT concerns should be referred to the Executive Director of Human Resources located in the Service Support Center (956-364-4042).

Risk Management Presentation
Training directed for school club advisers and at least one officer on how to mitigate risks when planning and holding events. Topics covered include student travel, hazing, behavior parties, alcohol & drug use, sexual abuse, fire & safety issues, firearms and weapons, and risk management policy.

Crime Reporting Policies And Procedures
All persons who reside, work, attend college or visit TSTC are responsible for protecting their own property and should take appropriate measures in preventing losses. Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings or around the student dorms should be reported to the college police department. The college community is encouraged to report all crimes and public safety related incidents to the college police department in a timely manner to aid in providing timely warning notices to the college community, when deemed appropriate. Crimes should be reported to the college police department to ensure inclusion in the annual crime statistics.
The college community is encouraged to report crimes, emergencies, and safety concerns by calling the following numbers. When reporting an emergency, please provide your name, location, and brief description of the emergency.

**TSTC Police Emergency**
- From an on-campus phone: Ext. 4220 or 9-873-COPS (2677)
- From an off-campus phone: Dial: 956-364-4220 or 956-873-COPS (2677)

**TSTC Crime Stoppers Inc. (to report crime tips)**
- 956-364-4TIP (4847)

**TSTC Housing Department**
- Ext. 4236

**Harlingen Police Department**
- Emergency: 9-911
- Business: 956-216-5400

**Campus Security Authorities (CSA’s)**
A Campus Security Authority is required to report all allegations to law enforcement personnel, even if the Campus Security Authority was told of a crime in the context of providing emotional support or health care support. The allegations will be reported whether or not the victim chooses to file a report with law enforcement or to press charges. A Campus Security Authority is not responsible for determining whether a crime took place as that is the function of law enforcement and its investigatory process. A Campus Security Authority may also provide a victim or witness with assistance in reporting a crime to the TSTC Police or to any official or office which should be informed of the crime or complaint.

The following are defined as Campus Security Authorities by the U.S. Department of Education and the Jeanne Clery Act.
- All members of a campus police department or a campus security department of an institution
- Any individual or individuals of an institution who have significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings
- A director of athletics, team coach, and faculty advisor to a student group also have significant responsibility for student and campus activities.

**Limited Confidential Reporting Procedures**
The TSTC Police Department encourages all members of its community who are a victim or a witness to any crime to promptly report the incident to the TSTC Police or other Campus Security Authorities.

If you are a victim or a witness to a crime and you do not want to pursue action within the college discipline system or the criminal justice system, you may still want to consider making a confidential report.

The purpose of a confidential report is to comply with your wishes to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With this information, the college can keep an accurate record of the number of incidents involving students, faculty and staff, determine where there is a pattern of crime relative to location, method and assailant and alert the campus community to potential harm. Confidential reports are counted and disclosed in the annual crime statistics for the campus. Please understand while the crime is counted for statistical purposes, confidential reporting of a crime may impede a speedy investigation and/or a thorough investigation, or it may prohibit an investigation in its entirety.

Confidential reporting may be done at the following locations:
Drug And Alcohol Policy Statement
Students on campus shall not unlawfully manufacture, distribute, dispense, possess or use any narcotic drug, alcohol, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance as defined in schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulations at 21 (CFR 1300.11 through 1300.15). This includes drug paraphernalia.

The unlawful manufacture, distribution, purchase, dispensation, possession or use of an illegal drug or alcohol by students and employees on college property is prohibited. Students violating any provision of the drug and alcohol policies are subject to disciplinary action.

Disciplinary Action
Any student violating this drug-related policy or convicted of a criminal drug offense occurring in the workplace is subject to an immediate one-year suspension from TSTC Harlingen, as well as permanent eviction from student housing, if applicable. Workplace includes any school premises, any school-owned vehicle or any other school-approved vehicle used to transport students to and from school-approved activity, event or function, such as a field trip or athletic event where students are under the College’s jurisdiction.

TSTC Harlingen policy prohibits the possession, sale, or use of alcoholic beverages on college premises. Students on college property or at a college-related, sponsored, or oriented activity under the influence of alcohol will be referred to College Police. Sanctions will range from a warning to expulsion. In addition, a student may be required to complete the Alcohol Awareness Course.

Students should contact the Counseling Office for information about alcohol counseling, treatment and rehabilitation programs.

Drug and Alcohol Counseling
Drug and alcohol counseling, treatment and rehabilitation programs are available to students and employees. For information about such programs contact the Support Services & Counseling Office or the Human Resources Office.

Alcohol
Health hazards associated with the excessive use of alcohol or with alcohol dependency include dramatic behavioral changes, retardation of motor skills, and impairment of reasoning and rational thinking. These factors result in a higher incidence of accidents and accidental death for such persons than for nonusers of alcohol. Nutrition also suffers, and vitamin and mineral deficiencies are frequent. Prolonged alcohol abuse causes bleeding from the intestinal tract, damage to the nerves and the brain, psychotic behavior, loss of memory and coordination, damage to the liver often resulting in cirrhosis, impotence, severe inflammation of the pancreas, and damage to the bone marrow, heart, testes, ovaries, and muscles. Damage to the nerves and organs is usually irreversible. Cancer is the second leading cause of death in alcoholics and is 10 times more frequent than in nonalcoholics. Sudden withdrawal of alcohol from persons dependent on it will cause serious physical withdrawal symptoms.

TSTC Harlingen policy prohibits the possession, sale, or use of alcoholic beverages on college premises. Students on college property or at a college-related, sponsored, or oriented activity under the influence of alcohol will be referred to...
College Police. Sanctions will range from a warning to expulsion. In addition, a student may be required to complete the Alcohol Awareness Course. Students should contact the Counseling Office for information about alcohol counseling, treatment and rehabilitation programs.

Drugs
The use of illicit drugs usually causes the same general type of physiological and mental changes as alcohol, though frequently those changes are more severe and more sudden. Death or coma resulting from overdose of drugs is more frequent than from alcohol, but unlike alcohol, abstinence can lead to reversal of most physical problems associated with drug use.

Cocaine
Cocaine is a stimulant that is most commonly inhaled as a powder. It can be dissolved in water and used intravenously. The cocaine extract (free base) is smoked. Users progress from infrequent use to dependence within a few weeks or months. Psychological and behavioral changes resulting from use include over-stimulation, hallucinations, irritability, sexual dysfunction, psychotic behavior, social isolation, and memory problems. An overdose produces convulsions and delirium and may result in death from cardiac arrest. Discontinuing the use of cocaine requires considerable assistance, close supervision, and treatment. Amphetamines (speed, love drug, ecstasy) Patterns of use and associated effects are similar to cocaine. Severe intoxication may produce confusion, rambling or incoherent speech, anxiety, psychotic behavior, ringing in the ears, hallucinations, and irreversible brain damage. Intense fatigue and depression resulting from use can lead to suicide. Large doses may result in convulsions and death from cardiac or respiratory arrest.

Heroin and Other Opiates These drugs are usually taken intravenously. “Designer” drugs similar to opiates include Fentanyl, Demerol, and “china white.” Addiction and dependence develop rapidly. Use is characterized by impaired judgment, slurred speech, and drowsiness. Overdose is manifested by coma, shock, and depressed respiration, with the possibility of death from respiratory arrest. Withdrawal problems include sweating, diarrhea, fever, insomnia, irritability, nausea and vomiting, and muscle and joint pains.

Hallucinogens or Psychedelics
These include LSD, mescaline, peyote, and phencyclidine (PCP or “angel dust”). Use impairs and distorts one’s perception of surroundings, causes bizarre mood changes, and results in visual hallucinations that involve geometric forms, colors, and persons or objects. Users who discontinue use experience “flashbacks” consisting of distortions of virtually any sensation. Withdrawal may require psychiatric treatment for the accompanying persisting psychotic states. Suicide is not uncommon.

Solvent Inhalants (e.g. glue, lacquers, plastic cement)
Fumes from these substances cause problems similar to alcohol. Incidents of hallucinations and permanent brain damage are more frequent.

Marijuana (cannabis)
Marijuana is usually ingested by smoking. Prolonged use can lead to psychological dependence, disconnected ideas, alteration of depth perception and sense of time, impaired judgment, and impaired coordination.

Damage from Intravenous Drug Use
In addition to the adverse effects associated with the use of a specific drug, intravenous drug users who use unsterilized needles or who share needles with other drug users can develop AIDS, hepatitis, tetanus (lockjaw), and infections in the heart. Permanent brain damage may also be a result.

Local, State and Federal Sanctions

<table>
<thead>
<tr>
<th>Offense</th>
<th>Minimum Punishment</th>
<th>Maximum Punishment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manufacture or delivery of controlled substances (drugs)</td>
<td>Confinement in jail for not more than 2 years or less than 180 days, and a fine not to exceed $10,000.</td>
<td>Confinement in TDC for life or not more than 99 years nor less than 15</td>
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<td>Offense</td>
<td>Penalty Details</td>
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<tr>
<td>Possession of controlled substances (drugs)</td>
<td>Confinement in jail for a term of not more than 180 days, a fine not to exceed $2,000, or both. Confinement in TDC for life or not more than 99 years nor no less than 10 years, and a fine not to exceed $100,000.</td>
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<tr>
<td>Operation of a Common Carrier under the influence of alcohol or drugs</td>
<td>Imprisonment for up to 15 yrs. and fine not to exceed $250,000.</td>
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<tr>
<td>Delivery of Marijuana</td>
<td>Confinement in jail for a term of not more than 180 days, a fine not exceed $2,000, or both. Confinement in TDC for life or not more than 99 years nor less than 10 years and a fine not to exceed $100,000.</td>
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<tr>
<td>Possession of Marijuana</td>
<td>Confinement in jail for a term of not more than 180 days a fine not exceed $2,000, or both. Confinement in TDC for a term of nor more than 99 years not less than 5 years, and a fine not to exceed $50,000.</td>
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<tr>
<td>Driving while Intoxicated</td>
<td>Confinement in jail for a term of not more than 180 days, or less than 72 hours, and a fine of not more than $2,000. Confinement in TDC for a term of nor more than 20 years nor less than 2 years and a fine not exceed $10,000.</td>
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</tr>
<tr>
<td>Public Intoxication</td>
<td>Fine not to exceed $500.</td>
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<tr>
<td>Purchase of alcohol by minor</td>
<td>Fine of not less than $25 or more than $200.</td>
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<tr>
<td>Consumption of alcohol by a minor</td>
<td>Fine of not less than $25 or more than $200.</td>
<td></td>
</tr>
<tr>
<td>Possession of alcohol by a minor</td>
<td>Fine of not less than $25 or more than $200.</td>
<td></td>
</tr>
<tr>
<td>Sale of alcohol to a minor</td>
<td>Fine of not less than $100 or more than $250 nor more than $1000 or confinement in jail for not more than one year or both. For subsequent offense, a fine of not less than $250 nor more than $1000 or confinement in jail for not more than one year.</td>
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</tr>
<tr>
<td>Manufacture, distribution or dispensation of drugs (includes marijuana)</td>
<td>A term of imprisonment for up to 5 years and a fine of $25,000.</td>
<td></td>
</tr>
<tr>
<td>Possession of Drugs (includes marijuana)</td>
<td>Imprisonment for up to a year, and a fine of not less than $1000.</td>
<td></td>
</tr>
</tbody>
</table>

The Rules and Regulations of the Board of Regents, the Institutional Rules, and state or Federal Laws are subject to amendment or change. When such changes occur, these changes are incorporated into this document by reference.

Sex Offense Policy, Procedures and Programs
“It is the policy of Texas State Technical College, in providing an education and work environment free of intimidation and coercion, to maintain particular safeguards which ensure all members of the college community are protection against sexual harassment” (COP HR 4.03 Prohibiting Sexual Harassment). Title IX of the Education Amendments of
1972 and Texas State Technical College Harlingen policy prohibits discrimination based upon gender (to include domestic violence, dating violence, sexual assault, and stalking) in its educational programs and activities. TSTC Harlingen is committed to creating an environment free of harassment and discrimination.

TSTC Harlingen ensures that educational programs are provided during the entire year. These educational programs consist of primary prevention and awareness programs for all new student and employees at New Student and New Employee Orientations. These presentations consist of informing the audience of the acts that TSTC Harlingen prohibits, the definitions of consent with regard to sexual activity, safe and positive options for bystander information, risk reduction tips, warning signs of abusive behavior (including how to avoid a potential attack), definitions of various acts, and information on TSTC Harlingen’s reporting options. The definitions of domestic violence, dating violence, sexual assault, and stalking are also shared. Inclusively, information is provided on the disciplinary process that is followed.

Sexual Assault Prevention & Response: Preventing And Responding To Sex Offenses
Sexual assault (rape) is nonconsensual sexual acts in which the perpetrator uses force, manipulation or coercion. It is an act of aggression, violence and power. The perpetrator can be a stranger, a relative, an acquaintance, or a date. Although rape is usually a crime committed against women, it also happens to men. The TSTC Community Standards Office, in collaboration with other departments, proactively educates the college student community about sexual assaults and date rape through sexual assault education and information and to employees, and upon request.

Literature on date rape education, risk reduction, bystander intervention and college response is available through the Community Standards Office as well as at the Counseling, Disabilities, Support Services and Health Services Office.

Awareness efforts include but are not limited to:
• Risk Management Training
• Domestic Violence Awareness Month Pledge day
• Domestic Violence Conference in October
• Stalking Information Booth
• Spring Break Presentation – HIV and Safe Sexual Practices
• Clery Trainings
• Are You Sure You Want to Post That? Workshop – Bystander intervention
• Sexual Assault Awareness Month Gather, Display, Pledge Day and Conference
• Etc.

Inclusively, training opportunities are afforded to employees especially those who participate in the Student Review/ Discipline Hearing and Title IX Committees. Furthermore, the Community Standards Office and the TSTC Harlingen Police Department collaboratively facilitate a Clery/Title IX Training to train pertinent institutional personnel.

If you are a victim of a sexual assault at this College, your first priority should be to get to a place of safety. You should then obtain necessary medical treatment. The College Police Department strongly advocates that a victim of sexual assault report the incident in a timely manner. Time is a critical factor for evidence collection and preservation. An assault should be reported directly to TSTC Police Department, the Title IX Coordinator or the Vice President of Student Development. Filing a police report with a College Police Officer will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgment opinions from officers.

Filing a report will:
• ensure that a victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim;
• provide the opportunity for collection/preserving of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam);
• assure the victim has access to free counseling from counselors specifically trained in the area of Sexual Assault Crisis Intervention.
When a sexual assault victim contacts the police department the Title IX Coordinator will be notified. The victim of a sexual assault may choose for the investigation to be pursued through the criminal justice system or decline formally reporting to authorities. The Title IX Coordinator will guide the victim through the available options and support the victim in his or her decision. During the process of reporting, the victim will be provided with written information on obtaining orders of protections, no contact orders, safety planning, crime victim services, victim bill of rights, etc. Throughout the entire process, the institution will make a good faith effort to ensure the victim’s confidentiality when requested and will be considered on a case-by-case basis.

Disciplinary Proceedings
The College Disciplinary Proceedings will provide a prompt, fair, and impartial investigation and resolution. The proceedings, as well as special guidelines for cases involving sexual misconduct, are detailed in the Student Handbook. The Handbook provides, in part, that the accused and the victim will each be allowed to choose one person who has had no formal legal training to accompany them throughout the hearing. Both the victim and the accused will be informed of the outcome of the hearing in writing. Should one party request a Review, then the other will be informed. Both Parties will be provided with information on how to request a Review upon being provided with the outcome. A student found guilty of violating any policy, code of conduct regulation, etc. could be criminally prosecuted in the state courts and may be suspended or expelled from the College for the first offense. Student victims have the option to change their academic schedules and/or on-campus living arrangements after an alleged sexual assault, if such changes are reasonably available. Inclusively, victims will be informed of their rights and options regardless of where the crime took place. At any time during the investigation interim sanctions may be imposed. At the conclusion of an investigation, a determination will be made based on a preponderance of evidence and appropriate sanctions and protective measures will be imposed accordingly that may consist of no contact orders, restrictions from certain areas of the campus, suspension, etc. During the proceedings, both the victim and the accused will receive simultaneous written notice of the outcome of the disciplinary hearing, institution’s review process, any change to the results before the results are final, and when the results become final. During the process all parties will be informed the institution’s stance on retaliation and that it is prohibited. *Officials conducting disciplinary proceedings will receive annual training on issues related to domestic violence, dating violence, sexual assault, and stalking, as well as how to conduct a hearing process that protects victim safety and promotes accountability.

On and Off Campus Resources
TSTC offers on campus resources that consist of the following:
Counseling Services
Student Service Bldg. EK Room 216
956.364.4311

Student Health Services
Student Center
956.364.4305

TSTC Police Department Escort Program
Auxiliary Bldg. A
956.364.4220

TSTC does not have any medical facilities that are capable to render a sexual assault examination.

Medical facilities that are capable to render a sexual assault examination for the campus are:
Valley Baptist Medical Center
2101 Pease Street
Harlingen, TX
956-389-1100

Harlingen Medical Center
Information on resources that includes services provided through the Cameron County Crime Victims Assistance Program is provided to the student in writing.

Sex Offender Registration
In accordance to the “Campus Sex Crimes Prevention Act” of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, institutions of higher education are required to issue a statement advising the campus community where information about registered sex offenders may be obtained. It also requires sex offenders to provide notice to each institution of higher education at which the person is employed, carries a vocation or is a student.
In accordance to state statutes, registered sex offenders must register with the Texas Department of Public Safety. Information concerning registered State of Texas Sex Offenders can be obtained from the Texas Department of Public Safety statewide sex offender database via the internet at: https://records.txdps.state.tx.us/DPS_WEB/SorNew/index.aspx.

Offenders who are required to register under this statute and are employed, carry on a vocation, volunteer services or is a student attending TSTC must register with the TSTC Police Department.

Definitions Of Clery Act Offenses
Criminal Homicide
Murder and Non-Negligent Manslaughter is defined as the willful (non-negligent) killing of one human being by another. Negligent Manslaughter is defined as the killing of another person through gross negligence.

Sex Offenses
Forcible is defined as any sexual act directed against another person forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent. Non-Forcible is defined as any unlawful, non-forcible sexual intercourse, including incest and sexual assault of a child incapable of giving consent (youth, temporary or permanent mental impairment).

Robbery
A person commits an offense if he/she appropriates or attempts to appropriate property of value from the care, custody, or control of a person/persons by force or threat of force or violence and/or by putting the victim in fear.
Aggravated Assault
This is defined as an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

Burglary (Breaking or Entering)
A person commits an offense if he/she, without the effective consent of the owner, enters a habitation or building (not then open to the public) with the intent to commit a larceny or felony.

Motor Vehicle Theft
The theft or attempted theft of a motor vehicle

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 or another.

Domestic violence
This includes asserted violent misdemeanor and felony offenses committed by the victim’s current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

Dating violence
This is defined as violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.

Stalking
This is defined as a course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others’ safety, or to suffer substantial emotional distress.

Weapons Violations
A person commits an offense when he/she intentionally, knowingly, recklessly, violates the laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary device or other deadly weapons and intentionally, knowingly, or recklessly goes on the premises of a school or an educational institution.

Any student found violating the Prohibiting Workplace Violence Policy SOS No. HR 2.4.8 and Texas Penal Code 46.03 is subject to immediate expulsion and permanent eviction or restriction from Student Housing.

Hate Crimes
Crimes resulting in bodily injury that are motivated by a type of bias or prejudice and in which victims are selected because of their race, gender, religion, sexual orientation, ethnicity or disability.

Liquor Law Violations
A person commits an offense when he/she unlawfully commits the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages. Included in this offense is making alcoholic beverages available to minors or intemperate persons, underage possession of alcoholic beverages, and maintaining unlawful drinking places.

Drug Law Violations
Violations of laws prohibiting the possession, sale, production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation or use.
Geographic Locations Under The Clery Act

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 within or reasonably contiguous to the institution that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

Non Campus 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.

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.

<table>
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<tr>
<th>Crimes Reported For:</th>
<th>Texas State Technical College Campus</th>
<th>Non-Campus Building or Property</th>
<th>Public Property</th>
<th>Total</th>
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<td>Res. On Hall/Campus</td>
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<td>Criminal Homicide</td>
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<td>Forcible</td>
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<td>Non-Forcible</td>
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<td>Dating Violence</td>
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Texas State Technical college information is available in PDF format at: [http://www.tstc.edu/campuses/harlingen](http://www.tstc.edu/campuses/harlingen)

**2014 CAMPUS CRIME REPORT- TSTC Harlingen, Texas MIT-C** (Based on 2012, 2013, 2014 Data)
<table>
<thead>
<tr>
<th>Crime Type</th>
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<td><strong>CRIMINAL OFFENSES – Noncampus</strong></td>
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<td>Murder/Non-negligent manslaughter</td>
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<td>Rape</td>
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<td>Forcible Sex Offense</td>
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### Hate Crimes – On Campus

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<td>Robbery</td>
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<tr>
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### Hate Crimes – Non Campus

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### Hate Crimes – Public Property

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<td>Intimidation</td>
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<td>Destruction/damage/vandalism of property</td>
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### REPORTED HATE CRIMES:
Categories of bias include the victim’s actual or perceived - Race; Gender; Gender identity; Religion; sexual orientation; Ethnicity; National origin; and Disability.

In 2012 there were no reported hate crimes
In 2013 there were no reported hate crimes
In 2014 there were no reported hate crimes

### Arrests – On Campus

<table>
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<tr>
<th></th>
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### Arrests – Non Campus

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<tr>
<td>Public Property</td>
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There are no student residential units on the MIT-C Campus
South Texas College Police Department
Clery Act Annual Security Report

Campus Law Enforcement Pursuant to Texas Education Code Section 51.203, the South Texas College Police Department has jurisdiction in all of the counties in which property is owned, leased, rented, or otherwise under the control of the college. Section 51.201 of the Code establishes that all the general and criminal laws of the state are declared to be in full force and effect within the areas under the control and jurisdiction of state institutions of higher education. South Texas College police officers are certified state peace officers by the Texas Commission on Law Enforcement (TCOLE) and possess authority granted to all state officers.

The South Texas College Police Department has entered into Memorandums of Understanding (MOUs) with the McAllen Police Department, Weslaco Police Department, and the Rio Grande City Police Department. In those MOUs, the South Texas College Police Department has primary jurisdiction on college property and the municipal departments have concurrent jurisdiction.

Major offenses reported to the South Texas College Police Department may be investigated jointly with local, state, and federal agencies. The prosecution of misdemeanor criminal cases is conducted in municipal courts and felony cases may be processed by county, state or federal courts. Students who are involved in illegal acts on-campus and areas in which the college conducts activities are subject to arrest, prosecution, and referral to the college student judicial officer.

Reporting of Criminal Offenses
Victims and witnesses are strongly encouraged to immediately report crime to the South Texas College Police Department at 956-872-2589 or dial 911. Prompt reporting will assure a timely response and warning notices on campus.
You may also send an anonymous text message to the police department through the following steps:
1. Input 67283 in your text address box.
2. Enter stctip followed by a space and the information you want to send in your text message box.
3. The system will convert your caller ID into a code that keeps your identity anonymous and allows the dispatch office to respond or provide instructions if necessary.

In addition you may report a crime to the following Campus Security Authorities:
Title IX Coordinator – 956-872-3558
Vice-President for Student Services - 956-872-8311
Dean, Student Affairs - 956-872-8372
Dean, Enrollment Services and Registrar - 956-872-8323
Director, Judicial Affairs - 956-872-2180
Director, Human Resources - 956-872-3816
A list of other Campus Security Authorities is available at police.southtexascollege.edu

Voluntary Confidential Reporting of Criminal Offenses
You are encouraged to report crimes if a victim elects not to do so or is unable to make a report. If you are the victim of a crime and do not want to pursue action within the college or the criminal justice system, you may still want to consider making a confidential report. With your permission, the Chief of the Police Department or another Campus Security Authority can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the college can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the college community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the college. Professional and pastoral counselors will inform the persons they are counseling of
procedures to report crimes on a voluntary, confidential basis for the inclusion in the annual disclosure of crime statistics. Counselors will report any threat of serious injury or death to the South Texas College Police Department.

**Dating Violence, Domestic Violence, Sexual Assault, and Stalking**

South Texas College views dating violence, domestic violence, sexual assault, and stalking as serious offenses and will take legal and administrative action to address these violations. The college defines these crimes as follows:

**Dating Violence** - Violence by a person who has been in a romantic or intimate relationship with the victim. Such relationship will be gauged by its length, type, and frequency of interaction.

**Domestic Violence** - Violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, a person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

**Sexual Assault** - Any sexual act that is perpetrated against someone's will. Sexual Violence encompasses a range of offenses, including a completed nonconsensual sex act (i.e., rape), an attempted nonconsensual sex act, abusive sexual contact (i.e., unwanted touching), and noncontact sexual abuse (e.g., threatened sexual violence, exhibitionism, verbal sexual harassment).

**Stalking** - A course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others' safety, or to suffer substantial emotional distress. During student orientations, college personnel educate students on the prevention of dating violence, domestic violence, sexual assault, and stalking. Information on these crimes, prevention techniques, and response to such acts is provided via email, student training, and classroom instruction. These four types of offenses are defined in more detail below. All types involve victims who do not consent or who are unable to consent.

**Sexual Harassment and Sexual Assault**

South Texas College Policy 4216 “Discrimination, Harassment, Retaliation, and Sexual Misconduct” (shown later in this Annual Security Report) and the Student Code of Conduct (http://www.southtexascollege.edu/pdf/Student_Code_Of_Conduct.pdf) prohibit sexual harassment and sexually violent acts. These acts also constitute violations of Federal and State laws.

Sexual misconduct consists of non-consensual sexual intercourse, non-consensual sexual contact, sexual exploitation, interpersonal relationship violence, sex/gender-based stalking and sexual harassment. These sexual acts include crimes of rape, sexual assault, sexual harassment, stalking, dating violence, and domestic violence.

In an effort to reduce the risk of sexual misconduct including the crimes of rape, other sexual assault, sexual harassment, stalking, dating violence and domestic violence occurring among its students, South Texas College utilizes a range of campaigns, strategies and initiatives to provide awareness, risk reduction, and prevention programming to prevent domestic violence, dating violence, sexual assault (including stranger and known offender assaults) and stalking. Educational programs are offered to raise awareness for all incoming students and employees, and are conducted during new student and new employee orientation. These programs and others offered throughout the year include strong messages regarding not just awareness, but also primary prevention (including normative messaging, environmental management, bystander intervention, and discuss college policies on sexual misconduct. Bystander engagement is encouraged through safe and positive intervention techniques, such as calling for help, using the college RAVE Eyewitness anonymous reporting application, identifying allies, and creating distractions.

Programs also offer information on risk reduction that strives to empower victims, how to recognize warning signals and how to avoid potential attacks, and do so without victim-blaming approaches. Throughout the year, ongoing awareness and prevention campaigns are directed to students and employees, including faculty, in the form of email messages, guest speakers, and mobile signage.

In the event that sexual misconduct, gender-based violence or the crimes of sexual assault, stalking, dating violence or domestic violence do occur, South Texas College takes the matter very seriously. The college employs interim protection
measures such as interim suspension and/or no contact orders in any case where a student’s behavior represents a risk of violence, threat, pattern or predation. A student accused of sexual misconduct, including the crimes of rape, other sexual assault, sexual harassment, stalking, dating violence or domestic violence, is subject to action in accordance with the South Texas College Student Code of Conduct and criminal prosecution.

Anyone with knowledge about sexual misconduct or gender-based violence or the crimes of rape, sexual assault, sexual harassment, stalking, dating violence or domestic violence should report it immediately by contacting the South Texas College Police Department, 2509 W. Pecan Blvd., McAllen, Texas (956-872-2589) or the following college officials:

- Mary Elizondo – Title IX Coordinator
  Telephone – 956-872-3558
  Office location – Pecan Campus, Building X, Room 230
- Paul Varville – Deputy Title IX Coordinator
  Telephone – 956-872-2589
  Office Location – Pecan Plaza, 2509 W. Pecan Blvd., McAllen, Texas
- Brenda Balderaz – Deputy Title IX Coordinator
  Telephone – 956-872-4448
  Pecan Plaza, 2501 W. Pecan Blvd., McAllen, Texas
- Paul Hernandez - Deputy Title IX Coordinator
  Telephone – 956-872-2182
  Pecan Campus, Building K, Room 2.22
- Campus Security Authorities – A list of these employees is provided at police.southtexascollege.edu

If you are the victim of gender-based violence, sexual misconduct, including the crimes of rape, other sexual assault, sexual harassment, stalking, dating violence, or domestic violence, you should:
1. Contact the South Texas College Police Department or Title IX Coordinators identified above. You may also contact a Campus Security Authority or go to a safe place and speak with someone you trust. Tell this person what happened. If there is any immediate danger, contact the South Texas College Police Department.
2. Consider securing immediate professional support (e.g.: counseling, victim advocacy, medical services, etc.) to assist you in the crisis.
3. If you are on campus during regular business hours, you may go to the South Texas College Counseling Department, located at each campus.
4. For your safety and well-being, immediate medical attention is encouraged. Further, being examined as soon as possible, ideally within 120 hours, is important in the case of rape or sexual assault. The South Texas College Police Department will provide free transportation to the hospital and a medical examination will be conducted at no charge. To preserve evidence, it is recommended that you do not bathe, shower, douche, eat, drink, smoke, brush your teeth, urinate, defecate or change clothes before receiving medical attention. Even if you have already taken any of these actions, you are still encouraged to have prompt medical care, and evidence may still be recoverable. Typically, if police are involved or will be involved, evidence will be obtained from the scene, and it is best to leave things undisturbed. Bedding, linens or unlaundered clothing and any other pertinent articles may be used for evidence. It is best to allow police to secure items in evidence containers, but if you are involved in transmission of items of evidence, such as to the hospital, secure them in a clean paper bag or clean sheet, to avoid contamination. If you have physical injuries, photograph or have them photographed, with a date stamp on the photo. Record the names of any witnesses, and their contact information. This information may be helpful to the proof of a crime, to obtain an order of protection, or to offer proof of a college Policy or Student Code of Conduct violation. Try to memorize details (physical description, names, license plate number, vehicle description,), or even better, write notes to remind you of details. If you obtain external orders of protection (e.g. restraining orders, injunctions, protection from abuse), please notify the South Texas College Police Department, so that those orders can be observed on campus.
5. Even after the immediate crisis has passed, consider seeking support from the college counseling department or a local rape crisis center.
6. Contact the Title IX Coordinators identified above if you need assistance with no-contact orders or other protective measures from college administrators. These college officials will also assist in any needed advocacy for students who
wish to obtain protective or restraining orders from local authorities. The college is able to offer reasonable academic accommodations, changes to living arrangements, transportation accommodations, escorts, no contact orders, counseling services access and other supports and resources as needed by a victim.

**South Texas College Procedures for Addressing Sexual Violations**

South Texas College procedures for addressing sexual misconduct, dating violence, domestic violence, stalking, sexual harassment and other acts of sex and gender discrimination range up to expulsion or termination.

Procedurally, when South Texas College receives a report of sexual misconduct, gender-based violence, or other sex or gender discrimination, the campus Title IX Coordinator is notified. If the victim wishes to access local community agencies and/or law enforcement for support, the college will assist the victim in making these contacts. The Title IX Coordinator will offer assistance to victims in the form of interim or long-term measures such as opportunities for academic accommodations, visa and immigration assistance, changes in working situations and other assistance as may be appropriate and available on campus or in the community. No contact orders, campus escorts, transportation assistance, targeted interventions, and other measures can be implemented. If the victim wishes assistance with a counselor on or off-campus, as well as an on or off-campus victim’s advocate, the college will work to attain those services. No victim is required to take advantage of these services and resources, but the South Texas College provides them in the hopes of offering help and support without condition or qualification. A summary of rights, options, supports and procedures, in the form of this document, is provided to all victims, whether they are a student, employee, guest or visitor.

When appropriate upon receipt of notice, the Title IX Coordinator will cause a prompt, fair and impartial process to be initiated, commencing with an investigation which may lead to the imposition of sanctions, based upon a preponderance of evidence (More likely than not), upon a responding student or other accused individual. The Coordinator is ultimately responsible to assure in all cases that the behavior is brought to an end, the college acts to reasonably prevent its recurrence and the effects on the victim and the community are remedied. The Coordinator is also responsible to assure that training is conducted annually for all investigators, hearing officers and other personnel involved in the process. Training will focus on sexual misconduct, domestic violence, dating violence, sexual assault, stalking, sexual harassment, retaliation and other behaviors that can be forms of sex or gender discrimination covered by Title IX and Clery Act and will help those decision-makers in the process to protect the safety of victims and to promote accountability for those who commit offenses.

Records of the investigation and resolution of the case are maintained confidentially. Information is shared internally between administrators who need to know. Where information must be shared to permit the investigation to move forward, the person bringing the accusation will be informed. Privacy of the records specific to the investigation are maintained in accordance with Texas State Law and the Federal FERPA statute. Any public release of information to comply with the open crime logs or timely warning provisions of the Clery Act will not identify the names of victims or information that could easily lead to a victim’s identification. Additionally, South Texas College maintains privacy of any accommodations or protective measures afforded to a victim, except as necessary to provide those accommodations or protective measures.

In any complaint of sexual misconduct, sexual assault, stalking, dating violence, domestic violence or other sex or gender-based discrimination covered under Title IX, the person bringing the accusation and the responding party are entitled to the same opportunities for a support person or advisor of their choice throughout the process, including any meeting, conference, hearing or other procedural action. Once complete, the parties will be informed in writing of the outcome, including the finding, the sanctions and the rationale used in the determination. Delivery of this outcome to the parties will occur without undue delay. All parties will be informed of the South Texas College appeal processes, and their rights to exercise a request for appeal. Should any change in outcome occur prior to finalization, all parties will be timely informed in writing, and will be notified when the results of the resolution process become final.

**Disclosures to Alleged Victims of Crimes of Violence or Non-forcible Sex Offenses**

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South Texas College will disclose to the alleged victim of a crime of violence, or a sex offense, the results of any disciplinary hearing conducted by the college against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, the college will provide the results of the disciplinary hearing to the victim’s next of kin, if so requested.

Sexual Harassment
Sexual harassment in the workplace and schools is an illegal practice under Section 703 of Title VII of the 1964 Civil Rights Act, as amended, and Title IX of the Education Amendments of 1972, as amended. Sexual harassment is defined as “unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature.” Such conduct is a violation when:

1. The employee’s or student’s submission to such conduct is an explicit or implied condition of employment or academic efforts; or
2. The employee’s or student’s response to such conduct becomes a basis for employment or academic decision; or
3. The conduct produces an intimidating, hostile, or offensive work or study environment.

South Texas College assumes an affirmative posture to prevent and eliminate sexual harassment in any division, department, or any work unit by any employee. It is the policy of the college that any practice or behavior that constitutes sexual harassment will not be tolerated. Sexual harassment of employees or students at South Texas College is strictly forbidden. Any employee who is found to have engaged in such conduct shall be subject to appropriate disciplinary action, up to and including dismissal. This policy shall be applied without regard to the gender of the employee involved.

It is the policy of South Texas College that supervisors and faculty shall not enter into any type of romantic or sexual relationship with staff under their supervision or with students enrolled in their courses. Such relationships will be looked upon as potentially detrimental to the working and learning environment, considered inappropriate and unacceptable, and grounds for disciplinary action including termination for all parties involved. Nothing in this policy should be interpreted to prohibit or restrict speech that is permitted by the Texas or the U.S. Constitutions.

If you are a victim of a sexual assault at South Texas College, your first priority should be to get to a place of safety. You should then obtain necessary medical treatment. The South Texas College Police Department strongly advocates that a victim of sexual assault report the incident in a timely manner. Time is a critical factor for evidence collection and preservation. An assault should be reported directly to the South Texas College Police Department dispatch office at 956-872-2589. Filing an incident report with the South Texas College Police Department will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions. Filing an incident report will ensure that a victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim, and provides the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later.

South Texas College Policy 4216
MANUAL OF POLICY
Policy 4216
Title Discrimination, Harassment, Retaliation and Sexual Misconduct
I. Purpose
South Texas College is committed to providing an environment that respects the dignity and worth of every member of its community. Members of the campus community are entitled to an educational, learning, and working environment free of discrimination, harassment, retaliation, and sexual misconduct. To ensure compliance with federal and state civil rights laws, the College has developed internal policies that will provide a supportive process for individuals who report
discrimination, harassment, retaliation, or sexual misconduct. These laws include, but are not limited to, Title II of the Americans with Disabilities Act of 1990, Title VII of the 1964 Civil Rights Act; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973, and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, as amended by Section 304 of the Violence Against Reauthorization Act of 2013.

II. Title IX Statement
The College strives to maintain a healthy and safe environment where all members of the community, students, faculty and staff feel welcome on College campuses and classrooms. Students, faculty and staff are thus prohibited from conducting themselves in a way that results in any form of sexual harassment, sex-based harassment and/or sexual violence.

III. Prohibited Conduct
Prohibited conduct includes discrimination, harassment, retaliation and sexual misconduct as defined by this policy, even if the behavior does not rise to the level of unlawful conduct. Acts of prohibited conduct are defined in this policy.

IV. Discrimination
The College prohibits discrimination, including harassment, against any employee, applicant for employment, student or applicant for admission on the basis of any protected class. Protected classes include: race, color, national origin, religion, age, sex, gender, physical or mental disability, genetic information, veteran status, or any other basis prohibited by law.

Discrimination against an employee or student is defined as conduct directed at an employee or student on the basis of race, color, national origin, religion, age, sex, gender, physical or mental disability, genetic information, veteran status, or any other basis prohibited by law, that adversely affects the employee’s employment or that adversely affects the student.

V. Harassment
Employee:
Prohibited harassment of an employee is defined as physical, verbal, or nonverbal conduct based on an employee’s race, color, national origin, religion, age, sex, gender, physical or mental disability, genetic information, veteran status, or any other basis prohibited by law, when the conduct is so severe, persistent, or pervasive that the conduct:

1. Has the purpose or effect of unreasonably interfering with the employee’s work performance;
2. Creates an intimidating, threatening, hostile, or offensive work environment; or
3. Otherwise adversely affects the employee’s performance, environment, or employment opportunities.

Student:
Prohibited harassment of a student is defined as physical, verbal, or nonverbal conduct based on the student’s race, color, national origin, religion, age, sex, gender, physical or mental disability, genetic information, veteran status, or any other basis prohibited by law, when the conduct is so severe, persistent, or pervasive that the conduct:

1. Affects a student’s ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student’s academic performance; or
3. Otherwise adversely affects the student’s educational opportunities.

VI. Racial Harassment
Racial harassment in any campus, division, department, or any work unit by any employee or student is unacceptable behavior, and any practice or behavior that constitutes racial harassment will be dealt with appropriately.

Any employee or student who is found to have engaged in such conduct shall be subject to appropriate disciplinary action, up to and including dismissal or expulsion, in accordance with procedural and applicable due process requirements.

Racial harassment in the workplace and schools is an illegal practice under Section 703 of Title VII of the 1964 Civil Rights Act, as amended, and Title IX of the Education Amendments of 1972, as amended.
Examples of conduct that constitutes racial harassment include racially derogatory remarks, racial slurs or any other racially motivated action.

Such conduct is a violation when:

1. The employee's or student's submission to such conduct is an explicit or implied condition of employment or academic efforts; or
2. The employee's or student's response to such conduct becomes a basis for an employment or academic decision; or
3. The conduct produces an intimidating hostile or offensive work or study environment.

Nothing in this policy should be interpreted to prohibit or restrict speech that is permitted by the Texas or U.S. Constitutions.

VII. Retaliation

The College prohibits retaliation against an employee or student who makes a claim alleging to have experienced discrimination or harassment, or another employee or student who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation.

An employee or student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a College investigation regarding harassment or discrimination is subject to appropriate discipline.

VIII. Sexual Misconduct

This policy prohibits any form of sexual misconduct. Sexual Misconduct includes, but is not limited to, behaviors often described as sexual harassment, sex or gender discrimination, sexual assault, rape, stalking, and relationship violence (including domestic and dating violence). It is a violation of policy and the law, including Title IX, to commit these acts or attempt to commit them. Sexual Misconduct can occur in any sex or gender configuration regardless of sex and gender identity whether it be an employee or student.

A. Sexual Harassment

South Texas College assumes an affirmative posture to prevent and eliminate sexual misconduct, including sexual harassment in any division, department, or any unit by any individual. It is the policy of South Texas College to provide an educational and working environment for its students, faculty, staff, guests and visitors that is free from sex discrimination and sexual harassment. It is the policy of the College that any practice or behavior that constitutes sexual harassment will not be tolerated. This policy has been developed to reaffirm this principle and to provide recourse for those individuals whose rights have been violated.

Sexual Harassment is unwelcome verbal or physical conduct that is,

• sufficiently severe, persistent or pervasive that it,
• unreasonably interferes with, denies or limits someone’s ability to participate in or benefit from the College’s educational program and/or activities, and is
• based on power differentials (quid pro quo), the creation of a hostile environment, or retaliation.

Any employee or student who is found to have engaged in such conduct shall be subject to appropriate disciplinary action, up to and including dismissal or expulsion and may be prosecuted under State law. This policy shall be applied without regard to the gender of the person involved.


B. Consensual Relationships

It is the policy of South Texas College that employees with direct teaching, supervisory, advisory, or evaluative responsibility over other employees, students and/or student employees recognize and respect the ethical and professional boundaries that must exist in such situations.

Consensual relationships, as defined in this policy, create conflicts of interest and/or appearances of impropriety that impair the integrity of academic and employment decisions. Such relationships also contain the potential for exploitation of the subordinate employee, student or student employee and the possible professional or
academic disadvantage of third parties, and can subject both the College and individuals to the risk of liability. Therefore, it is the policy of South Texas College that supervisors and faculty shall not enter into any type of consensual romantic or sexual relationship with staff under their supervision or with students of the College. When both parties have consented at the outset to a romantic, intimate, or sexual relationship, this consent does not remove grounds for a charge of conflict of interest, sexual harassment, or violation of applicable parts of misconduct as defined in Policy# 4920 Discipline and Dismissal, based upon subsequent unwelcome conduct.

C. Consent

Consent is:
- Permission to engage in sex
- Clear, knowing and voluntary, prior to and during sexual activity
- Active, not passive. Silence, in and of itself, cannot be interpreted as consent.

Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity.
- Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity.
- Previous relationships or prior consent cannot imply consent to future sexual acts.
- In order to give effective consent, one must be of legal age. In Texas, the age of consent is 17.
- Sexual activity with someone who one should know to be -- or based on the circumstances should reasonably have known to be -- mentally or physically incapacitated (by alcohol or other drug use, unconsciousness or blackout), constitutes a violation of this policy.

D. Coercion

Coercion is unreasonable pressure for sexual activity. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

There is no requirement that a party resists the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of force is not demonstrated by the absence of resistance. Sexual activity that is forced is by definition non-consensual, but nonconsensual sexual activity is not by definition forced.

E. Incapacitation

Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why or how” of their sexual interaction). The sexual orientation and/or gender identity of individuals engaging in sexual activity is not relevant to allegations under this policy.

F. Non-Consensual Sexual Intercourse

Defined as any sexual penetration or intercourse (anal, oral, or vaginal), however slight, with any object by a person upon another person that is without consent and/or by force.

Sexual penetration includes vaginal or anal penetration by a penis, tongue, finger, or object, or oral copulation by mouth-to-genital contact or genital-to-mouth contact.

G. Non-Consensual Sexual Contact

Defined as any intentional sexual touching, however slight, with any object by a person upon another person that is without consent and/or by force.

Sexual touching includes any bodily contact with the breasts, groin, genitals, mouth, or other bodily orifice of another individual or any other bodily contact in a sexual manner.

1. Physical conduct that, depending on the totality of circumstances present, including frequency and severity, may constitute sexual harassment includes, but are not limited to:
- Unwelcome intentional touching; or
- Deliberate physical interference with or restriction of movement.
- Verbal conduct is defined as oral, written, or symbolic expressions that:
- Personally describe or are personally directed at a specific individual or group of identifiable individuals; and
• Are not necessary to an argument for or against the substance of any political, religious, philosophical, ideological, or academic idea.

Verbal conduct that, depending on the totality of circumstances present, may constitute sexual harassment includes, but is not limited to:

• Explicit or implicit propositions to engage in sexual activity;
• Gratuitous comments, jokes, questions, anecdotes or remarks of a sexual nature about clothing or bodies;
• Gratuitous remarks about sexual activities or speculation about sexual experiences;
• Persistent, unwanted sexual or romantic attention;
• Subtle or overt pressure for sexual favors;
• Exposure to sexually suggestive visual displays such as photographs, graffiti, posters, calendars or other materials;
• Deliberate, repeated humiliation or intimidation based upon sex.

H. Sexual Exploitation
Defined as taking non-consensual or abusive sexual advantage of another and the conduct does not fall within the definitions of sexual harassment, non-consensual sexual intercourse, or non-consensual sexual contact.

IX. Dating Violence
Defined as violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such a relationship will be gauged by its length, type and frequency of interaction.

X. Domestic Violence
Domestic violence includes asserted violent misdemeanor and felony offenses committed by the victim’s current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

XI. Sexual Violence
Sexual violence is any unwanted physical conduct perpetrated against a person’s will or where a person is incapable of giving consent (e.g. due to the person’s use of drugs or alcohol, or because an intellectual, mental or physical disability prevents the person from having the capacity to give consent). Such conduct includes but is not limited to: sexual assault; sexual exploitation, sexual coercion; and unwanted sexual intercourse (rape).

1. Prohibited sexual misconduct and sexual violence could be committed by force, intimidation, or use of victim’s incapacity (physical, mental, or through use of drugs or alcohol).

2. All sexual contact between individuals must be with each person’s active consent.

The sexual orientation and/or gender identity of individuals engaging in sexual violence is not relevant to allegations under this policy.

XII. Stalking
Defined as a course of conduct directed at a specific person that would cause a reasonable person to fear for his her, or others’ safety, or to suffer substantial emotional distress.

XIII. Off Campus Conduct
Conduct that occurs off campus can be the subject of a complaint or report and will be evaluated to determine whether it violates this policy and if off-campus harassment has continuing effects that create a hostile environment on campus.

XIV. Other Offenses
This policy prohibits other offenses of a discriminatory, harassing, and/or retaliatory nature not included in the previous sections as follows:

• Intimidation, defined as implied threats or acts that cause a reasonable fear of harm in another on the basis of actual or perceived membership in a protected class
• Hazing, defined under this policy as acts likely to cause physical or psychological harm or social ostracism to any person within the College community when related to the admission, initiation, pledging, joining, or any other group-affiliation activity on the basis of actual or perceived membership in a protected class.
• Bullying, defined under this policy as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally on the basis of actual or perceived membership in a protected class.
• Violation of any other College rule, when it is motivated by sex or gender or the actual or perceived membership of the victim in a protected class, may be pursued using this policy and process.
XV. Hostile Environment

A hostile environment may be created by oral, written, graphic or physical conduct that is sufficiently severe, persistent or pervasive and objectively offensive that interferes with, limits or denies the ability of an individual to participate in or benefit from educational programs, services, opportunities, or activities or the individual’s employment access, benefits or opportunities. Mere subjective offensiveness is not enough to create a hostile environment.

In determining whether conduct is severe, persistent or pervasive, and thus creates a hostile environment, the following factors will be considered: (a) the degree to which the conduct affected one or more individuals’ education or employment; (b) the nature, scope, frequency, duration, and location of the incident(s); (c) the identity, number, and relationships of persons involved; (d) the perspective of a “reasonable person” in the same situation as the person subjected to the conduct, and (e) the nature of higher education.

XVI. Reporting

Section 703 of Title VII of the 1964 Civil Rights Act, as amended, and Title IX of the Education Amendments of 1972, as amended, and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, as amended by Section 304 of the Violence Against Women Reauthorization Act of 2013 are three federal laws which establish responsibilities for college employees to report certain types of crimes and incidents, especially sexual misconduct. Students are encouraged to report such incidents to the Conflict Resolution Center, the Office of the Dean of Student Affairs or to the South Texas College Police Department.

Employees, guests and visitors are encouraged to report to the Office of Human Resources or to the South Texas College Police Department.

Incidents should be reported as soon as possible after the time of their occurrence. No person is required to report sexual misconduct to the alleged offender.

A. Referral Responsibility

Every College employee is responsible for promptly reporting incidents of prohibited conduct that come to their attention either to the Office of Human Resources, the Title IX Coordinator, Deputy Title IX Coordinator, or to the South Texas College Police Department.

B. Title IX Coordinator

The Title IX Coordinator has primary responsibility for coordinating efforts related to investigation, resolution, and implementation of corrective measures and monitoring to stop, remediate, and prevent discrimination, harassment, retaliation, or sexual misconduct. The Title IX Coordinator will assign the investigation to a Deputy Title IX Coordinator or other appropriate College official.

Inquiries or complaints may be addressed to the College’s Vice President of Finance and Administrative Services, 3201 W Pecan Blvd, McAllen, TX 78501 Office Location: Annex - Pecan Campus; Second Floor Phone: 956.872.3592

C. Filing of False Complaints

Any person who knowingly and intentionally files a false complaint under this policy is subject to disciplinary action up to and including dismissal or expulsion from the College.

XVII. Effect on Pending Personnel Actions

The filing of a sexual misconduct or retaliation complaint will not stop or delay any evaluation or disciplinary action related to the complainant who is not performing up to acceptable standards or who has violated the College’s rules, regulations, or policies.

XVIII. Relationship of Complaint Process to Outside Agency Time Limits

The filing of a sexual misconduct complaint under this policy does not excuse the complainant from meeting the time limits of outside agencies.

XIX. Title IX Procedures

The South Texas College Complaint procedures are shown below.

South Texas College - Complaint Procedures

Complaint procedures may be accessed at the following college website:

Texas State Law
Under Texas State Law, an offense that formerly would have been called forcible rape is now categorized in Texas Penal Code Section 22.011 as sexual assault.

The Texas definitions of domestic violence, dating violence and stalking are covered in the Penal Code Assaultive Offenses as follows:

Sec. 22.01. ASSAULT.
(a) A person commits an offense if the person:
(1) intentionally, knowingly, or recklessly causes bodily injury to another, including the person's spouse;
(2) intentionally or knowingly threatens another with imminent bodily injury, including the person's spouse; or
(3) intentionally or knowingly causes physical contact with another when the person knows or should reasonably believe that the other will regard the contact as offensive or provocative.

Sec. 22.011. SEXUAL ASSAULT.
(a) A person commits an offense if the person:
(1) intentionally or knowingly causes the penetration of the anus or sexual organ of another person by any means, without that person's consent;
(2) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or
(3) 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
(4) 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.

Sec. 22.02. AGGRAVATED ASSAULT.
(a) A person commits an offense if the person commits assault as defined in Sec. 22.01 and the person:
(1) causes serious bodily injury to another, including the person's spouse; or
(2) uses or exhibits a deadly weapon during the commission of the assault.
(b) An offense under this section is a felony of the second degree, except that the offense is a felony of the first degree if:
(1) the actor uses a deadly weapon during the commission of the assault and causes serious bodily injury to a person whose relationship to or association with the defendant is described by Section 71.0021(b), 71.003, or 71.005, Family Code;
(2) regardless of whether the offense is committed under Subsection (a)(1) or (a)(2), the offense is committed:
(A) by a public servant acting under color of the servant's office or employment;
(B) against a person the actor knows is a public servant while the public servant is lawfully discharging an official duty, or in retaliation or on account of an exercise of official power or performance of an official duty as a public servant;
(C) in retaliation against or on account of the service of another as a witness, prospective witness, informant, or person who has reported the occurrence of a crime; or
(D) against a person the actor knows is a security officer while the officer is performing a duty as a security officer; or
(E) the actor is in a motor vehicle, as defined by Section 501.002, Transportation Code, and:
1. knowingly discharges a firearm at or in the direction of a habitation, building, or vehicle;
2. is reckless as to whether the habitation, building, or vehicle is occupied; and
3. in discharging the firearm, causes serious bodily injury to any person.
(c) The actor is presumed to have known the person assaulted was a public servant or a security officer if the person was wearing a distinctive uniform or badge indicating the person's employment as a public servant or status as a security officer.
(d) In this section, "security officer" means a commissioned security officer as defined by Section 1702.002, Occupations Code, or a noncommissioned security officer registered under Section 1702.221, Occupations Code.
Sec. 22.021. AGGRAVATED SEXUAL ASSAULT. (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) 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
(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) administers or provides flunitrazepam, otherwise known as rohypnol, gamma hydroxybutyrate, or ketamine to the victim of the offense with the intent of facilitating the commission of the offense

Sec. 22.07. TERRORISTIC THREAT. (a) A person commits an offense if he threatens to commit any offense involving violence to any person or property with intent to:
(1) cause a reaction of any type to his threat by an official or volunteer agency organized to deal with emergencies;
(2) place any person in fear of imminent serious bodily injury;
(3) prevent or interrupt the occupation or use of a building, room, place of assembly, place to which the public has access, place of employment or occupation, aircraft, automobile, or other form of conveyance, or other public place;
(4) cause impairment or interruption of public communications, public transportation, public water, gas, or power supply or other public service;
(5) place the public or a substantial group of the public in fear of serious bodily injury; or
(6) influence the conduct or activities of a branch or agency of the federal government, the state, or a political subdivision of the state.

Sec. 42.072. STALKING. (a) A person commits an offense if the person, on more than one occasion and pursuant to the same scheme or course of conduct that is directed specifically at another person, knowingly engages in conduct that:
(1) constitutes an offense under Section 42.07, or that the actor knows or reasonably should know the other person will regard as threatening:
(A) bodily injury or death for the other person;
(B) bodily injury or death for a member of the other person's family or household or for an individual with whom the other person has a dating relationship; or
(C) that an offense will be committed against the other person's property;
(2) causes the other person, a member of the other person's family or
household, or an individual with whom the other person has a dating relationship to be placed in fear of bodily injury or
death or in fear that an offense will be committed against the other person’s property, or to feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended; and

(3) would cause a reasonable person to:
(A) fear bodily injury or death for himself or herself;
(B) fear bodily injury or death for a member of the person’s family or household or for an individual with whom the
person has a dating relationship;
(C) fear that an offense will be committed against the person's property; or
(D) feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended.

Timely Warnings
In the event that a significant threat arises, either on or off campus, the Chief of Police/Director of Safety & Security will
issue a campus wide timely warning. The warning will be issued through the college e-mail system to students, faculty,
and staff. In situations that could pose an immediate threat to the college community, the Chief of Police/Director of
Safety & Security may also issue an alert through the STC RAVE Mass Notification System. Anyone with information
warranting a timely warning should report the circumstances to the Chief of Police/Director of Safety & Security by
contacting South Texas College Police Department dispatch at 956-872-2589.

South Texas College Disclosure of Crime Statistics
The South Texas College Police Department prepares the crime statistics report to comply with the Jeanne Clery
Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located on our web site
at http://police.southtexascollege.edu/clery-act-statistics/. This report is prepared in cooperation with College Campus

Campus crime, arrest and referral statistics include those reported to the South Texas College Police Department by
Campus Security Authorities, identified in the Reporting of Criminal Offenses section above. The Department of
Counseling and Advising will inform their clients of the procedures to report crime to the South Texas College Police
Department on a voluntary or confidential basis, should they feel it is in the best interest of the client.

Each year, a post card is mailed to all enrolled students, faculty, and staff that provides our web site
(http://police.southtexascollege.edu/clery-act-statistics/) to access this report. You may also obtain a copy of the report
at the South Texas College Police Department located at Pecan campus building N, room 159 or call the Police
Department at 956-872-2589.

Security and Access to South Texas College Facilities
South Texas College campuses have extensive video surveillance coverage encompassing building entrances and
hallways, walkways, and parking areas. Surveillance cameras are monitored by security personnel 24/7. College police
officers and security guards conduct routine patrols of facilities and respond immediately to calls for service.

During business hours from 7:00am to 10:00pm, South Texas College is open to students, parents, employees, and
guests. During non-business hours, entrance to all college facilities is by key, access card, or admittance by the Police
Department. In periods of extended closing, the College will admit only those with prior approval. Emergencies may
necessitate changes or alterations to any posted schedules.

Programs Informing Students and Staff of Campus Security Procedures
Student orientations provide information on security practices and encourage participants to be responsible for their
own security and the security of others. The South Texas College Police Department website provides information on
campus security and includes the video “Shots Fired” with guidance on dealing with an active shooter on campus.
Students and employees have access to RAVE Eyewitness, a text messaging program described on the college website
that uses anonymous messaging to communicate with the college police department. The STC RAVE Emergency Alert
System generates voice, voice mail, text, and email messages to students and employees during a threatening situations.
Each college building has employees trained as responders to assist in evacuation and other security measures. Throughout the semesters, the South Texas College Police Department conducts Emergency Response Training, including table top exercises that provide guidance in responding to crisis situations. Students and employees are encouraged to participate in these training opportunities.

Drug and Alcohol Abuse
In compliance with the Drug-Free Schools and Communities Act Amendment of 1989 (Public Law 101-226), Texas House Resolution 2253, and Senate Resolution 645, South Texas College prohibits the unlawful manufacture, possession, sale, use or distribution of illegal drugs and alcoholic beverages at on-and off-campus college-sponsored events. Each of these statutes requires the college to clearly inform students that no illegal drugs and unlawful possession of alcohol will be allowed on campus inside buildings or on campus property. Students who are found guilty of such violations will be disciplined and be subject to criminal charges.

Each year, South Texas College mails a notification to all enrolled students and current employees informing of institutional policies and other information that is available on the college website. This information is as follows:
A. The prohibition of unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on the institution’s property or as part of any of the institution’s activities.
B. The applicable legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol include imprisonment and the assessment of civil and criminal fines.
C. The health-risks associated with the use of illicit drugs and the abuse of alcohol may result in mental disabilities and death.
D. South Texas College provides drug or alcohol counseling to students.
E. South Texas College will impose sanctions on students and employees consistent with local, state, and federal law up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct.

Tobacco, Firearms, and Other Substances
South Texas College prohibits smoking and the use of tobacco products in all college buildings. Violators of this policy may be subject to disciplinary action. Students seeking assistance or educational materials about alcohol, drugs, tobacco or other substances should contact the Office of Counseling and Advising.

South Texas College Policy 6325 prohibits a person from intentionally, knowingly, or recklessly possessing a firearm, illegal knife, club, firearm ammunition, or prohibited weapon listed in Section 46.05(a) of the Texas Penal Code, on the premises (as defined by law) or physical grounds of any campus or other property owned, leased, or controlled by the College, unless otherwise permitted by law. Texas Penal Code §46.03(a) states, “A person commits an offense if the person intentionally, knowingly, or recklessly possesses or goes with a firearm, illegal knife, club, or prohibited weapon listed in Section 46.05(a): (1) on the physical premises of a school or educational institution, any grounds or building on which an activity sponsored by a school or educational institution is being conducted, or a passenger transportation vehicle of a school or educational institution, whether the school or educational institution is public or private, unless pursuant to written regulations or written authorization of the institution”. Texas Penal Code §46.03 (f) states, “It is not a defense to prosecution under this section that the actor possessed a handgun and was licensed to carry a concealed handgun under Subchapter H, Chapter 411, Government Code.”

Sex Offender Registration
The Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed by institutions of higher education. The CSCPA is an amendment to the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Act. This federal law requires state law enforcement agencies to provide South Texas College with a list of registered sex offenders who have indicated that they are either enrolled, employed, or carrying on a vocation at South Texas College. A registered sex offenders list is maintained by the South Texas College Police Department. The CSCPA further amends the Family Educational Rights and Privacy Act of 1974 (FERPA) to clarify that nothing in the Act can prohibit an educational institution from disclosing information
Emergency Response

During an emergency, the South Texas College Police Department will issue a mass notification message to students, faculty, and staff through the STC RAVE Alert Emergency Notification System. Pursuant to Texas Education Code, Section 51.218, all current students and employees are automatically enrolled in the alert system and will receive telephone, email, and text messages to provide notification of the situation and the steps to be taken for personal safety.

Notification of emergency events will be issued to the college community without delay once the event has been confirmed, unless it is determined that such notification may compromise efforts to assist victims or would adversely impact efforts to contain, respond to, or mitigate the emergency. The following college officials will determine the method of the alert and the individuals who will be notified:

Chief of Police/Director of Safety & Security Vice President, Financial Affairs and Administrative Services President of the College

South Texas College has identified faculty and staff who assist students and organize student activities and designated them as Campus Security Authorities (CSAs). These CSAs are available to receive information concerning possible crimes and reports of incidents needing an emergency response. If you are uncomfortable reporting dangerous situations to the STC Police Department, you may contact a CSA to report it. A list of CSAs is available on the South Texas College website police.southtexascollege.edu.

The Emergency Notification System is tested on an annual basis. Evacuation procedures are tested during building fire drills. These drills are evaluated and documented by the Fire Departments of the cities the campuses are located in. The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of an emergency. During the drill, occupants familiarize themselves with the location of exits and the evacuation areas. In addition to educating the occupants of each building about the evacuation procedures during the drills, the process also provides the South Texas College an opportunity to test the operation of fire alarm system components. Deficiencies are corrected promptly.

Evacuation chairs are located on the upper staircases of buildings with more than one floor. During a building evacuation, elevators should not be used and persons in wheelchairs can be placed in the evacuation chairs and lowered down the stairway with the rubber tracks positioned at the bottom of these chairs. Training in the use of these evacuation chairs is available at the Operations Department.

South Texas College police officers and security guards receive training in responding to critical incidents on campus and will normally be the first responders. Depending upon the nature of the incident other local, state, or federal agencies may respond. When individuals are injured, Emergency Medical Service providers are called to the scene.

General information about emergency response and evacuation procedures is published on the South Texas College Police Department website at police.southtexascollege.edu and in Emergency Quick Reference Guides for each campus. These Guides are located on the Police Department website and are distributed at each campus.

**Shelter-in-Place Procedures—What it Means to "Shelter-in-Place"

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors. To "shelter-in-place" means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.
Emergency Response Training for Students and Employees
The South Texas College Police Department provides Emergency Response training periodically throughout the year. This training includes how to protect yourself during shooter events, fire, and other crisis situations. The video “Shots Fired” provides specific instructions on defending against active shooters and is available for viewing on the STC Police website at police.southtexascollege.edu. Tabletop exercises are also conducted throughout the year, encompassing an active discussion concerning personal protection during emergency situations. The Police Department also offers CPR and First Aid training. These training sessions are announced via general email messages.

Clery Act Statistics - Mid Valley Campus 2012 - 2014

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Texas A&M University-Kingsville is excited to allow local high school students the opportunity to gain a head start on their college careers through Dual Enrollment courses offered within the hours and confines of their high school. These programs are offered to high schools throughout Texas on a contractual basis and a reduced cost. These programs are offered in school district buildings.

<table>
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<th>Texas A&amp;M University-Kingsville currently maintains agreements with:</th>
<th>Address</th>
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<td>Aransas Pass Independent School District (361) 758-3248</td>
<td>450 South Ave A, Aransas Pass 78336</td>
<td>Aransas Pass Police Department</td>
<td>361-758-5224</td>
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<tr>
<td>Banquete Independent School District (361) 387-2551</td>
<td>4602 Cornet Drive Corpus Christi 78410</td>
<td>Corpus Christi Police Department</td>
<td>911 or 361-886-2600</td>
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<td>Bishop Consolidated School District (361) 584-2547</td>
<td>100 Badger Lane Bishop 783</td>
<td>Bishop Police Department</td>
<td>911 or 361-584-</td>
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<td>Calallen Independent School District (361) 242-5980</td>
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<td>Falfurrias (361) 325-8091</td>
<td>100 Jersey Lane Falfurrias 78355</td>
<td>Falfurrias Police Department</td>
<td>361-325-5041</td>
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<tr>
<td>Freer (361) 394-6717</td>
<td>905 S. Norton Freer 78357</td>
<td>Freer Police Department</td>
<td>911 or 361-394-7334</td>
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<tr>
<td>H.M. King (361) 592-6401</td>
<td>2210 S. Brahma Blvd. Kingsville 78363</td>
<td>Kingsville Police Department</td>
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<td>Incarnate Word Academy - Corpus Christi (361) 883-0857</td>
<td>2920 S. Alameda Corpus Christi 78404</td>
<td>Corpus Christi Police Department</td>
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<tr>
<td>La Villa (956) 262-4715</td>
<td>100 W. Hwy. 107 La Villa 78562</td>
<td>La Villa Police Department</td>
<td>956-262-2122</td>
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<tr>
<td>Law Enforcement &amp; Criminal Justice – Houston (713) 802-4600</td>
<td>4701 Dickson Houston 77007</td>
<td>Houston ISD Police Department</td>
<td>911</td>
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<td>Robert E. Lee – Houston (713) 787-1700</td>
<td>6529 Beverly Hill St. Houston 77057</td>
<td>Houston ISD Police Department</td>
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<td>Odem (361) 368-3401</td>
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<td>Robstown (361) 387-5999</td>
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<td>Sam Houston – Houston (713) 696-0200</td>
<td>9400 Irvington Houston 77076</td>
<td>Houston ISD Police Department</td>
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<td>Santa Gertrudis Academy (361) 592-0058</td>
<td>1055 W. Santa Gertrudis Kingsville 78363</td>
<td>Kingsville Police Department</td>
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