



## Notice of Nondiscrimination and Abuse

Texas A&M University at Galveston is committed to providing a safe and non-discriminatory learning, living, and working environment for all members of the University community. The University provides equal opportunity to all employees, students, applicants for employment or admission, and the public regardless of race, color, sex, religion, national origin, age, disability, genetic information, veteran status, sexual orientation, or gender identity. Texas A&M University at Galveston will promptly investigate and resolve all complaints of discrimination, harassment (including sexual harassment), and related retaliation in accordance with applicable federal and state laws.

The University's response to allegations of discrimination, harassment, and related retaliation will be 1) prompt and equitable; 2) intended to prevent the recurrence of any harassment; and 3) intended to remedy its discriminatory effects, as appropriate. A substantiated allegation of such conduct will result in disciplinary action, up to and including separation from the University. Visitors, contractors, and third parties who commit discrimination, harassment, retaliation, or complicity may have their relationships with the University terminated and/or their privileges of being on University premises withdrawn.

### **Reporting Responsibilities**

Any employee who observes or has knowledge of discrimination, harassment, retaliation, or complicity must promptly report all known information about the incident(s) to the University's Designated Official unless they are designated as a "confidential employee" below. Pursuant to state law, the sanction for failure to report an incident of sexual harassment, sexual assault, dating violence, or stalking is termination of employment.

Students who are not employed by the University and non-affiliated members of the public are encouraged, but not required, to report incidents.

### **Confidential Employees**

Certain University employees have been designated as Confidential Employees: licensed health care personnel and licensed counselors when acting in this capacity as part of their official employment. These employees only report de-identified statistics to the Designated Official.

### **Where to Report an Incident**

- **Designated Official:** The University has designated Jennifer Smith, Assistant Vice President and Title IX Coordinator to receive all reports of discrimination, harassment, retaliation and complicity related to a protected class or status. Protected classes or statuses include: race, color, sex, gender identity, age, religion, disability, national origin, immigration status, citizenship status, sexual orientation, genetic information, or veteran status.
- To file a report with the University, please contact:  
**Ms. Jennifer M. Smith, TAMU Assistant Vice President and Title IX Officer**  
Medical Sciences Library  
202 Olsen, Suite 007  
College Station, TX 77845  
(979) 845-0977  
[civilrights@tamu.edu](mailto:civilrights@tamu.edu)

- **Local Campus Contact (Allegations against Students):** For making inquiries regarding allegations of discrimination by students, you may contact:  
**Dr. Todd Sutherland, TAMUG Associate VP of Student Affairs**  
Seibel Student Services Center #101G,  
Galveston, TX 77554  
(409) 740-4598  
[titleixstudents@tamug.edu](mailto:titleixstudents@tamug.edu)
- **Local Campus Contact (Allegations against Employees and Third Parties):** For making inquiries regarding allegations of discrimination by employees and third parties, you may contact:  
**Mr. Jeff Boyer, TAMUG Executive Director of Human Resources**  
Aggie Special Events Center (Building #3035) Suite #115,  
Galveston, TX 77554,  
(409) 740-4503  
[titleix@tamug.edu](mailto:titleix@tamug.edu)
- **The Section 504 and ADA Coordinator:** For reporting incidents, requesting accommodations, or inquiring about discrimination based on disability, you may contact Jeff Boyer, TAMUG ADA Coordinator at (409) 740-4503 or [boyerj@tamug.edu](mailto:boyerj@tamug.edu). The office address is 200 Seawolf Parkway, Aggie Special Events Center (Building #3035) Suite 115, Galveston, TX 77554.
- **Federal Agencies:** Inquiries or complaints about discrimination may be directed to the U.S. Equal Employment Opportunity Commission at (800) 669-4000 or to the U.S. Department of Education Office for Civil Rights at (214) 661-9600.
- **Texas A&M System Hotline (anonymous reporting option available):** The Risk, Fraud & Misconduct Hotline at (888) 501-3850 or [secure.ethicspoint.com/domain/media/en/gui/19681/index.html](https://secure.ethicspoint.com/domain/media/en/gui/19681/index.html)
- **Texas A&M University at Galveston CARE Team (anonymous reporting option available):** “Tell Somebody” online reporting at [tamug.edu/care/Tell\\_Somebody.html](https://tamug.edu/care/Tell_Somebody.html)

### **Reporting to Law Enforcement**

Anyone who has experienced or witnessed discrimination, harassment or related retaliation has the option to file a criminal complaint with the appropriate local law enforcement agency. A complainant will be assisted by campus authorities in reporting to law enforcement authorities, but a complainant may also choose to decline to notify law enforcement.

A report to law enforcement, even to the University Police Department (UPD), is separate from a report to the University. An individual pursues disciplinary remedies through the University and criminal remedies through law enforcement. Disciplinary and criminal remedies may be pursued separately or at the same time. An individual wishing to pursue disciplinary remedies and criminal remedies simultaneously should make a report to both entities.

**For emergencies, call 9-1-1.** For non-emergencies, contact local law enforcement:

- Texas A&M University at Galveston Police Department (409) 740-4545
- Galveston Police Department (409) 765-3702
- Galveston County Sheriff’s Office (409) 766-2300

### **To Report Abuse or Neglect of Persons Age 65 or Older, Persons with Disabilities, or Minors**

State law requires all persons having cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect to *immediately* make a report (even if the belief is premised upon incomplete or dated information) to: any local or state law enforcement agency; the Department of Family and Protective Services (DFPS); the state agency that operates, licenses, certifies, or registers the facility in which the alleged abuse or neglect occurred; or the agency designated by the court to be responsible for the protection of children. Further, all persons having cause to believe that an individual 65 years or older or a disabled person 18 years of age or older is in the state of abuse, neglect, or exploitation are required to notify the DFPS.

- **To report abuse or neglect to DFPS contact:** The Texas Abuse Hotline at (800) 252-5400 or [http://www.dfps.state.tx.us/Contact\\_Us/report\\_abuse.asp](http://www.dfps.state.tx.us/Contact_Us/report_abuse.asp)

### **Amnesty for Students and Employees**

When a student or employee in good faith reports or assists in the investigation of a report of an incident of sexual harassment, sexual assault, dating violence, domestic violence, or stalking, the University will not take disciplinary action against the student or employee for any violations of the University's rules or Codes of Conduct which are reasonably related to the incident reported. The University may, however, investigate to determine whether a report of an incident of sexual harassment, sexual assault, dating violence, domestic violence, or stalking was made in good faith. The amnesty will not apply to a student or employee who reports their own commission or complicity in the commission of sexual harassment, sexual assault, dating violence, domestic violence, or stalking.

### **Retaliation**

Students, faculty and staff are prohibited from retaliating against a person for (1) making a good faith report of a violation of Texas A&M System policies, university rules, student rules, and or/the law; or (2) participating in any proceeding related to the investigation or resolution of such report. Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging in activity protected under this policy. Retaliation may be present even where there is a decision of "unsubstantiated," "insufficient information to substantiate," "not responsible" or "not guilty" on the allegations of discrimination, harassment, or related retaliation. Retaliation does not include good faith actions lawfully pursued in response to a report of discrimination, harassment, or related retaliation. Violation of an interim, remedial, or protective measure will be considered retaliation.

### **False Complaints**

Any person who knowingly files a false complaint of discrimination, harassment, complicity or retaliation is subject to disciplinary action, up to and including dismissal or separation from the University. A finding of "unsubstantiated" or "insufficient information to substantiate" does not imply that a complaint was false.

### **Confidentiality**

The confidentiality of a complaint of sexual misconduct and all documents, correspondence, and information collected during an investigation will be maintained by the University on a need-to-know basis to the extent permitted by law.

### **Rights, Resources, and Options**

A student or an employee who is a **victim** of sexual harassment (including sexual misconduct or stalking), domestic violence, or dating violence, whether it occurred on or off-campus, has certain resources, rights and options. Information is available at [TAMUG Title IX Resources, Rights, and Options for Individuals Subjected to Sexual Harassment, Sexual Misconduct, Stalking, Domestic Violence, or Dating Violence](#)

A student or an employee who is **accused** of sexual harassment (including sexual misconduct or stalking), domestic violence, or dating violence, whether it occurred on or off-campus, has certain resources, rights and

options. Information is available at [TAMUG Title IX Resources, Rights, and Options for Individuals Accused of Sexual Harassment, Sexual Misconduct, Stalking, Domestic Violence, or Dating Violence](#)

### **Institutional Governance**

<a href="#">Student Rule 7 – Attendance (Section 7.1.10, pregnancy)</a>
<a href="#">Student Rule 10 – Grading (Section 10.5, pregnancy)</a>
<a href="#">Student Rule 24 - Student Conduct Code</a>
<a href="#">Appendix XII - Sexual Violence Protocol</a>
<a href="#">Student Rule 25 – Student Conduct Code Procedures</a>
<a href="#">Student Rule 26 - Student Conduct Proceedings</a>
<a href="#">Student Rule 27 - Sanctions</a>
<a href="#">Student Rule 31 - Racial and Ethnic Harassment</a>
<a href="#">Student Rule 45 - Discrimination and Discrimination Appeals</a>
<a href="#">Student Rule 46 - Disability Accommodations in Academic Programs</a>
<a href="#">Student Rule 47 - Sexual Harassment Investigation and Resolution of Complaints Against Texas A&amp;M Students for Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, Stalking and Related Retaliation (SSDDSR)</a>
<a href="#">Student Title IX Cumulative Sanctioning Matrix</a>
<a href="#">System Policy 08.01 - Civil Rights Protections and Compliance</a>
<a href="#">System Regulation 08.01.01 - Civil Rights Compliance</a>
<a href="#">System Regulation 08.01.02 - Civil Rights Protections for Individuals with Disabilities</a>
<a href="#">University Rule 08.01.01.M1 - Prohibited Conduct: Discrimination, Harassment, Complicity, and Related Retaliation based on a Protected Characteristic</a>
<a href="#">University Standard Administration Procedure 08.01.01.M1.01 - Investigation and Resolution of Allegations of Prohibited Conduct Against Students, Employees, and Third Parties</a>
<a href="#">University Standard Administrative Procedure 08.01.02.M0.02 – Service Animals, Emotional Support Animals, and Other Animals on Campus</a>
<a href="#">System Regulation 24.01.06 - Programs for Minors</a>