



ANNUAL SECURITY & FIRE SAFETY

2026 REPORT



Main Campus:
Edinburg

Separate Campuses:

Brownsville • Coastal Studies • Harlingen Academic Clinical Education Building • McAllen
Biomedical Research Building • School of Earth, Environmental, and Marine Sciences • Starr
County Upper-Level Center • Visual Arts Building • Center for Innovation and Commercialization •
The UT System Education and Research Center at Laredo • Harlingen Health Affairs Building

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Except where otherwise noted, policies and procedures indicated in this annual security report apply to Edinburg Main Campus and all other Separate Campuses listed on cover page.

The UTRGV Title IX policies and procedures are implemented in accordance with applicable federal and state law and current Title IX regulations.

Introduction

Campus safety is a core priority of The University of Texas Rio Grande Valley (UTRGV) and critical to ensuring a positive learning and work environment. The 2026 Annual Security and Fire Safety Report (ASFSR) was prepared in accordance with the Jeanne Clery Campus Safety Act (Clery Act) to provide valuable campus security information and statistics about crime on our campuses.

This report includes information about policies, procedures, and programs regarding:

- how students and others should report crimes or other emergencies occurring on campus;
- security of and access to campus facilities;
- crime prevention;
- campus law enforcement and security;
- emergency preparedness;
- alcohol and drugs;
- sexual assault;
- dating violence; domestic violence; and stalking

The ASFSR also provides information about the University Police Department, including its law enforcement arrest authority, working relationships with state and local police, and its mission to protect and serve the campus community.

Further, the report includes statistics for reported Clery Act crimes that occur on campus, off campus university facilities, residence halls, and public property immediately adjacent to the campuses.

We encourage you to review the 2026 Annual Security and Fire Safety Report. For any questions or concerns, feel free to contact the University Police Department at 956-882-7777 or the Dean of Students at 956-665-2260 (Edinburg) or 956-882-5141 (Brownsville/Harlingen).

The University of Texas Rio Grande Valley Geography

UTRGV is a state-supported institution of higher education. It has several campuses and various non-campus locations, that it owns or controls, uses for educational purposes and are frequently used by students.

UTRGV Clery Act Campuses are:

Main Campus	Address
Edinburg	1201 W. University Dr., Edinburg, TX 78539

Separate Campuses	Address
Brownsville	One W. University Blvd., Brownsville, TX 78521
Coastal Studies Lab	100 Marine Lab Dr., South Padre Island, TX 78597
Harlingen Academic & Clinical Education Building	2102 Treasure Hills Blvd., Harlingen, TX 78550
The UT System Education and Research Center at Laredo	1937 East Bustamante Street, Laredo, TX 78041
School of Earth, Environmental, and Marine Sciences	901 S. Garcia St., Port Isabel, TX 78578
Starr County Upper-Level Center	138 N. FM 3167, Rio Grande City, TX 78582
Visual Arts Building	2412 S. Closner, Edinburg TX 78539
Biomedical Research Building	5300 N. L Street, McAllen, TX 78504
Center for Innovation and Commercialization	307 E Railroad St, Weslaco, TX 78596
Harlingen Health Affairs Building	2222 South 77 Sunshine Strip, Harlingen, TX 78550

Annual Report Preparation

Annual Security & Fire Safety Report

By October 1st of each year, the Annual Security & Fire Safety Report is distributed to all enrolled students and current employees via email. All prospective students and employees can obtain a printed copy upon request from the Dean of Students Office or the University Police Department. UTRGV publishes the report on the [University Police Department's website](http://www.utrgv.edu/police) (www.utrgv.edu/police).

The report includes statistics for the previous three completed calendar years concerning reported crimes that occurred on campus, public property within, or immediately adjacent to and accessible from the campus locations and on non- campus buildings owned or controlled by UTRGV.

The University Clery Compliance Manager, which reports to the Associate Vice President for Safety & Security, is responsible for preparing the report in collaboration with University Police, Office of Title IX & Equal Opportunity (OTIXEO), Office for Advocacy and Violence Prevention (OAVP), Office of Emergency Management, Office of Environmental Health Safety and Risk Management, Student Health, Student Rights & Responsibilities, Dean of Students, Office of Housing and Residence Life, Counseling Center and other university departments. The Clery Manager works with each entity to provide updated information on their policies and procedures, educational efforts, and programs to comply with the Clery Act.

The Clery Manager meets with the Clery Geography Sub-Committee, which consists of members from the School of Medicine, Dean of Students, Enrollment Management, Office of Real Estate, and University Police to review a list of properties UTRGV owns or controls for the previous calendar year. Once the list is finalized, the Clery Manager develops and sends out email or mail requests to all available police agencies with jurisdiction over each of our campuses and non-campus locations. Each letter to the police agency explains the importance of the Clery Act and requests Clery crime reports to assess for inclusion of statistics in the annual report. The Clery Manager works with Athletics and the Dean of Students to ensure we send out letters to law enforcement agencies that have jurisdiction over non-campus locations during short stay away trips as well. The University Police Department maintains a cooperative working relationship with local, county, and state law enforcement agencies.

In addition to any law enforcement agencies, Campus Security Authorities (CSAs), individuals with significant responsibility for student and campus activities, are also required to report criminal incidents to the University Police Department contemporaneous with occurrence to ensure inclusion and avoid duplication of statistics in the annual report. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported.

All of the statistics are gathered, compiled, and reported to the University community via this report, which is published by The University of Texas Rio Grande Valley. UTRGV Clery Compliance Manager submits the annual crime statistics published in this brochure to the Department of Education (ED). The statistical information gathered by the Department of Education is available to the public through the ED website (<https://ope.ed.gov/campussafety/#/>).

Campus Law Enforcement Responsibility

Safety: A shared responsibility

The University Police Department is responsible for the general welfare of the campus community, which consists of students, faculty, staff, visitors, and vendors on UTRGV campuses. It is the lead agency for the security of the University and the enforcement of all state laws and University rules and regulations relating to motor vehicles and traffic on campus.

Campus offices for the University Police Department are located at:

Edinburg: 501 N. Sugar Road

Brownsville: 2671 FJRM Avenue

Harlingen: 2102 Treasure Hills Boulevard

Laredo: 1937 East Bustamante Street

The University Police Department operates 24 hours a day, 365 days a year, and is staffed by commissioned Texas Peace Officers and supported by civilian personnel and non-commissioned Public Safety Officers. Well-marked exterior emergency telephones are located throughout some of the campus locations in parking lots and all elevators. Emergency telephones can be used to report crimes, emergencies, or to request police services. They

are monitored and answered by the University Police Department 24 hours a day and are tested on a weekly basis. Emergency phones found to be inoperable are marked as “out of service” and scheduled for maintenance.

The safety of our university community is our priority and concern. As a university, we focus on preventing crime, fire, accidents, and other campus hazards. Equally important is everyone’s participation in preventing these types of safety risks by promptly reporting crimes and any suspicious activity to the University Police Department. UTRGV components such as Student Success, Office of Emergency Management, Environmental Health, Safety and Risk Management and many others also contribute to making UTRGV a safer place to study, work and live.

This report contains valuable information that will help keep everyone safe, on and off campus. Safety tips that may greatly increase the safety and general welfare of our community are provided in this report. Working together can allow for a safer and more enjoyable learning environment.

Police Authority

University law enforcement and security is coordinated by the University Police Department, which is a part of the University of Texas System Police (UTSP). UTRGV's police officers are designated by Article 2.12 of the [Texas Code of Criminal Procedure and Article 51.203 of the Texas Education Code](http://www.statutes.capitol.texas.gov/docs/ED/htm/ED.51.htm) (www.statutes.capitol.texas.gov/docs/ED/htm/ED.51.htm) as the law enforcement officers of the University and are licensed by the Texas Commission on Law Enforcement (TCOLE) with full law enforcement authority. University police officers undergo an extensive application process and thorough background investigation prior to employment. Before being licensed as a Texas peace officer, University police cadets attend an intensive six-month training program at The University of Texas System Police Academy, located in Austin, Texas or a local TCOLE certified training academy. The training that University Police Department officers receive exceeds TCOLE training standards for all Texas peace officers. The University Police Department officers continually receive in-service and specialized training. All officers have been trained in first aid as well as CPR and are authorized to enforce all campus regulations. University Police Officers are trained with a variety of weapon systems as well as a variety of less-than-lethal weapons.

Peace officers employed by the University Police Department have jurisdiction and conduct patrol activity within the counties where the University of Texas System owns or leases property. The University Police Department enforces all laws of the State of Texas, as well as being responsible for public safety services such as crime prevention and community outreach programs. The University Police Department officers have jurisdictional authority and are vested with the power to investigate crime, search and arrest as authorized by law and to use reasonable and necessary force to protect life and property at all University locations. The primary jurisdiction of peace officers commissioned by the University of Texas System Police includes all counties in which property is owned, leased, rented, or otherwise under the control of the University of Texas System.

In addition to commissioned Police Officers, the University also employs non-commissioned Public Safety Officers to assist the University Police Department with security on campus by providing a visible uniform presence in University buildings and properties to deter crime and report suspicious activity to the University Police Department officers. Public Safety Officers do not have police arrest authority.

Relationships with Other Law Enforcement Agencies

The University Police Department maintains close working relationships with local, federal, state, and other law enforcement agencies and routinely shares investigative information. In addition, University Police provides state mandated training to local law enforcement agencies and collaborates with local law enforcement to conduct full scale exercises, such as Active Shooter scenarios. The University Police Department also works closely with area Fire Departments and emergency medical service providers.

The University Police Department is routinely informed by local law enforcement agencies of any criminal activities involving UTRGV students or student organizations. This information may be shared with the Dean of Students. The University Police Department maintains Memorandums of Understanding (MOU'S) with local law enforcement agencies related to the investigation of criminal offenses or other police services. Currently, The University Police Department has a Memorandum of Understanding with McAllen Police Department, Port Isabel Police Department, Harlingen Police Department, Edinburg Police Department, Brownsville Police Department, and the U.S. Department of Veteran Affairs Police defining the working relationship between the departments in the Harlingen Clinical Education Building. The University Police Department has primary jurisdiction over the investigation of crimes that occur on UTRGV campuses.

Daily Crime and Fire Log

The University Clery Manager maintains a daily crime log that records all crimes and other serious incidents that occur on campus, in a non-campus building or property, on public property, or within the department's patrol jurisdiction by the date the incident was reported. The daily crime log also includes the nature, time, and general location of each crime reported to the department, as well as the disposition of the complaint, if this information is known at the time the log is created. The department posts in the Daily Crime Log within two business days of receiving a report of an incident.

The University Clery Manager also maintains a daily fire log with data collected from the Department of Environmental Health, Safety, and Risk Management.

The Daily Crime and Fire Log is available for public inspection by visiting the [University Police Department website](http://www.utrgv.edu/police/crime) (www.utrgv.edu/police/crime) and a paper copy can be requested at the following University Police Department.

Edinburg: 501 N Sugar Road

Brownsville: 2671 FJRM Avenue

Harlingen: 2102 Treasure Hills Boulevard

Laredo: 1937 East Bustamante Street

Campus Security and Building Access

Access to classrooms and office buildings for special events after normal business hours, weekends, and holidays is coordinated with the various campus departments overseeing that area. Many of the buildings, offices, labs,

computer rooms, and other areas of campus are equipped with electronic access. Except for Residence Halls, academic spaces on campus are generally open one hour before the start of the first class and remain open until one hour after the conclusion of the last class. Non-academic spaces are generally open during normal business hours. Most campus buildings are typically locked on Saturday and Sunday. University Police provides security by vehicular patrol in residence hall parking lots and foot patrol of the interior common areas. Housing staff and University Police Officers monitor security in the residential facilities and encourage building residents to report suspicious or unusual activity. University Police also provides security by vehicular and foot patrol to on-campus buildings and off-campus sites and properties.

Per ADM 10-301 Facility Use Policy, buildings or facilities owned or controlled by UTRGV are not open to non-affiliated person for the purposes of assembly, speech, or other activities as are the public streets, sidewalks, and parks. In furtherance of UTRGV's educational mission, UTRGV campuses, facilities, and property are limited public forums open only to the expressive activities of students and employees.

These activities are permitted so long as they are lawful and do not materially and substantially disrupt the operations of the university. UTRGV buildings and structures, however, are not considered open public forums for such activities.

During the last two (2) weeks of a semester or term, no person or organization may engage in expressive activities in the common outdoor areas of UTRGV in a manner that materially and substantially disrupts the functioning of the university. Prohibited activities during this period include inviting outside speakers to campus, using sound amplification devices, or using drums, percussive instruments, or horns.

Generally, expressive activities may not take place on campus between the hours of 10:00 p.m. and 8:00 a.m. However, consistent with the intent of Section 51.9315(l), Texas Education Code, UTRGV may grant exceptions when appropriate.

Pursuant to the authority conferred upon the Board of Regents by Texas Education Codes Section 51.209, in order to protect the safety and welfare of students, employees, and other participants in the programs and activities of the institution 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. UTRGV maintains an open-campus policy, but access to the campus facilities may be restricted as necessary to meet safety and security requirements as determined by University officials.

Campus Carry Law

The 84th Session of the Texas Legislature passed Senate Bill 11, known as the "campus carry" law. Individuals who hold a license to carry a handgun may carry a concealed handgun on the grounds of or in buildings of an institution of higher education such as UTRGV.

To ensure compliance with Section 411.0231 of the Texas Government Code (also known as the “campus carry law”) while maintaining UTRGV commitment to providing a safe environment for its students, faculty, staff, and visitors, UTRGV adopted Handbook on Operating Procedures (HOP) policy ADM 02-400: [Concealed Handguns and Other Weapons on Campus](http://www.utrgv.edu/hop/policies/adm-02-400.pdf) (www.utrgv.edu/hop/policies/adm-02-400.pdf) effective August 1, 2016.

The policy applies to all individuals who may work, attend classes, conduct business, or visit any campus location of UTRGV, including without limitation, employees, faculty, trainees, students, patients, visitors, volunteers, contractors, commercial tenants, or vendors. This policy does not apply to peace officers as defined in Article 2.12 of the Texas Code of Criminal Procedure and does not apply to military service members or officers, inspectors, or investigators employed by a federal agency who are carrying a weapon in the discharge of official duties.

University Housing

For the safety of our residents, all outside guest(s) must be registered per the procedures established by each facility.

The Village at Edinburg Apartments (Buildings A-F)

- Call RA on Call to register guest(s)

Casa Bella Apartments (Buildings 1-5)

- Guest register at Clubhouse or with RA on Call after hours and on weekends

Heritage, Troxel and Unity Hall (North and South)

- Guest register at Front Desk of Buildings or with RA on Call after hours and on weekends

The following apply to Heritage/Troxel, Unity, and The Village Apartments:

- Guest can only visit during visiting hours from 10:00 a.m.- 1:00 a.m. daily.
- No more than 4 guests per resident are permitted (up to a max. of 8 total guests per suite/apartment at a time).
- Guests under the age of 18 must be accompanied by a parent or legal guardian.

The following apply to Casa Bella Apartments:

- Guest can only visit during visiting hours from Sunday - Saturday from 10:00 a.m.- 1:00a.m.
- No more than 3 guests per resident are permitted (up to a max. of 10 total guests per suite/apartment at a time).
- Guests under the age of 18 must be accompanied by a parent or legal guardian.

The following apply to Heritage/Troxel and Unity:

- Guests will enter and exit through the main building entrance.
- Resident host must register their guest at the lobby office.
- Each guest must leave a government issued photo ID (or a VOne card) that conforms to the Identification Policy with the OA/RA on duty at the lobby office.
- The host is required to accompany their guest at all times.

- At 1 a.m., guests must be accompanied by their host to the residence hall lobby, where continued visitation may occur. Guests must remain in the lobby during their visit with their host at all times. Guests will be asked to leave the building if not accompanied with their host and/or attempting to leave the lobby area.
- During visitation, guests and/or residents are not permitted to sleep in the lobby area. Loitering is not permitted

Overnight Guests:

Residential Facilities (Heritage/Troxel, Unity & Village Apartments, Casa Bella)

- All overnight guests must be of the same gender as the resident host.
- All overnight guests must be over the age of 18.
- Roommate consent must be obtained.
- Residents requesting to have an overnight guest stay within the residence halls and apartments must fill out an overnight guest request form.
- Completed forms must be submitted to the front desk by 1 AM on the night of the requested stay.
- There is no cost for a nonresident overnight guest.
- All overnight guests must check-out by noon the following day or incur an additional night's charge.
- Residents are limited to one guest per night for no more than three nights in a 30-day span of calendar days.
- Repeated violations of the overnight guest policy could result in loss of visitation privileges.

Access to the University's residence halls is restricted only to student occupants, escorted guests, and authorized University personnel. Unescorted persons are prohibited in the residence halls.

Heritage, Troxel, and Unity Residence Halls (Edinburg):

- Access to Heritage, Troxel, and Unity Residence Halls is through the main entrance and has an electronic locking system with ID card access. There are cameras in the lobbies that record 24 hours a day and are accessible for monitoring by the University Police department as a deterrent to misconduct as well as assisting university personnel with investigations.

Casa Bella Apartments Buildings 1-5 (Brownsville):

- Casa Bella is a gated apartment community with ID card access through the main entrance.

The Village Apartments Buildings A-F (Edinburg):

- Access to The Village Apartments is not gated nor restricted.

UTRGV does not have student organizations that own or control off campus housing. Residents should immediately report lost access cards, lost keys, malfunctioning locks, and gates to their respective Housing Coordinator.

Maintenance of Facilities

Facilities Planning and Operations maintains the buildings, grounds and utility systems for UTRGV. Students and other members of the University community are encouraged to report maintenance problems such as missing lights, plumbing problems, or elevators that are not in service to the nearest departmental office. If departmental offices are closed, please report any safety issues to the University Police Department at 956-882-4911.

Facilities personnel respond to reports of inoperable doors, inoperable lights, malfunctioning smoke alarms, broken windows, and requests from the University Police Department. The University Police Department, Environmental Health, Safety and Risk Management, and Facilities Operations survey campus lighting, monitor those areas having defective fixtures, and report the deficiencies to the appropriate personnel for corrective action. Residence Life staff make regular rounds of the facilities daily checking for maintenance problems that may pose a hazard to residents' safety and security. Outdoor emergency telephones are connected directly to the University Police Department and located at various locations throughout the campuses.

Campus Safety Initiatives and Resources

General Information

The University Police Department takes a comprehensive approach to campus safety and has a number of initiatives that reduce the risk of an individual becoming a victim of crime. The University Police Department has certified Crime Prevention Officers on staff that have received various training in crime prevention and physical security.

The campus' crime prevention strategy rests on a multilayered foundation of proactive patrol of the campus, crime prevention trainings, buildings, area security surveys, and property registration. This approach relies on the dual concepts of eliminating or minimizing criminal opportunities whenever possible and encouraging community members to take responsibility for their own safety and the safety of others.

For additional questions regarding crime prevention, contact the Police Department directly at 956-882-7777.

Safety Initiatives

Initiatives	Description
Campus Shield Mobile App	CampusShield connects you directly with campus police, while also providing: • Emergency Button – Sends accurate location information to the phone number you designate using geo-fences. • Anonymous Report – Report safety concerns, suspicious activities, and crime tips. Also, it can be used to text an emergency when calling is not ideal. Use photos / videos and report anonymously. • FriendWatch – If your pre-set timer hits 0:00, your emergency contacts are notified. Friends and family members can watch out for each other during potentially dangerous activities. • Safe Walk – Request a safety escort or contact a non-emergency phone number.
Community Policing	The University Police Department utilizes a community policing philosophy with the goals of: Establishing positive contacts with the campus community; identifying real and/or perceived problems that exist in the campus community; and developing programs that aid in resolution of identified problems. To assist in its community policing efforts, the University Police Department uses various modes of transportation, including patrol cars, utility cars, bicycles, and foot patrol.
Crime Prevention Presentations	The University Crime Prevention Officers at UTRGV PD work closely with Residence Life, Students Rights and Responsibilities, and UTRGV student groups to develop and schedule presentations about crime prevention pertaining to personal safety, sexual assault, acquaintance rape, women's self-defense, alcohol and drug awareness, burglary and theft, and office safety. These presentations are conducted as needed for faculty, staff, and students.
Emergency Phones	Emergency phones are located throughout campus locations providing a direct line of communication to the University Police Department for individuals in need of emergency assistance. These phones are strategically positioned along pedestrian walkways, elevators, parking lots and near building entrances. The University Police Department responds to all activated emergency phones even if no words are spoken. Look for the blue lights atop a blue metal column.
Lighting	UTRGV recognizes the importance of maintaining a well-lit campus and all UTRGV parking lots and walkways are illuminated during night-time hours.
Operation ID	Operation ID is a program involving the engraving of a state driver's license number on bicycles that do not already have serial numbers. Engraving is also available for most items of personal importance, upon request. Call the University Police Department at 956-882-7777 for assistance.
Parking Lot Cameras	There are exterior closed-circuit television cameras located throughout all campus locations which monitor and record their respective areas 24 hours a day. These include fixed cameras as well as pan-tilt-zoom cameras that are controlled by the University Police Department's Communications Center. These security cameras act as a deterrent to criminal activity as well as assisting University police officers in their investigations.
Mass Alert System	UTRGV maintains a mass alert system or alerting the University community about campus emergencies, including via cell phone, text messages, and email to students, faculty, and staff. These notices are also posted to the University website. In the event of a campus emergency, a mass alert message will give pertinent emergency information and protective actions to all members of the UTRGV campus community.
Employee Assistance Program	The UT Employee Assistance Program (UTEAP) is a service available to all employees of UTRGV. It provides confidential, professional assistance to help employees and members of their households resolve problems that affect their personal lives or job performance. Safety services include emotional/psychological services and substance abuse/recovery services.

Campus Resources

Office for Advocacy & Violence Prevention (OAVP)

The mission of the Office for Advocacy & Violence Prevention (OAVP) is to work with students, staff, faculty, and community partners to strive for a campus free from interpersonal violence and to facilitate services for victims and survivors of sexual assault, dating abuse, domestic violence, stalking, and sexual harassment. Through educational activities, prevention programs, and support services, our goal is to provide a critical voice for promoting change in beliefs and policies that marginalize members of the campus community who identify as survivors, victims, or bystanders of power-based violence.

Brownsville Campus: 956-882-8282

Edinburg Campus: 956-665-8287

[OAVP's webpage](http://www.utrgv.edu/oavp) (www.utrgv.edu/oavp)

UTRGV Police Department Victim's Services Specialist

The specialist provides emotional support to students, staff, and faculty, who are victims of crime throughout the criminal justice process. Also, the specialist provides information in writing to victim's regarding available on or off campus resources, including but not limited to counseling services, class schedules, makes housing accommodations, coordinate transportation to local law enforcement or on-campus appointments, transportation to hospital trips in case of a sexual assault. Provides referrals to appropriate UTRGV departments, agencies, and services within the counties; serves as a go-between for victims, survivors, and their families. Provides information on Victim's Rights, Crime Victim Compensation, and Protective Orders to victims. The victims seeking assistance can be crimes committed on or off campus. The Victim Services Specialist collaborates with UTRGV departments and community agencies on and off campus to provide outreach/prevention to the community on a variety of social service topics through presentations or events.

Office of Title IX & Equal Opportunity (OTIXEO)

Office of Title IX & Equal Opportunity addresses complaints of discrimination, sexual misconduct, and retaliation. OTIXEO further assures UTRGV's compliance with federal and state laws concerning equal employment opportunity and affirmative action mandates and assures compliance in the administration of Title IX. UTRGV is committed to promoting a learning and work environment that is free of discrimination, sexual harassment, and retaliation.

View the [Office of Title IX & Equal Opportunity's website](http://www.utrgv.edu/otixeo) (www.utrgv.edu/otixeo) for additional information, and consider reviewing these applicable policies:

[ADM 03-100: Non-Discrimination and Complaint Procedure](http://www.utrgv.edu/hop/policies/adm-03-100.pdf) (www.utrgv.edu/hop/policies/adm-03-100.pdf)

[ADM 03-200: Accommodations for Individuals with Disabilities](http://www.utrgv.edu/hop/policies/adm-03-200.pdf) (www.utrgv.edu/hop/policies/adm-03-200.pdf)

[ADM 03-300: Sexual Misconduct](http://www.utrgv.edu/hop/policies/adm-03-300.pdf) at (www.utrgv.edu/hop/policies/adm-03-300.pdf)

If you have any questions, call OTIXEO at 956-665-2453.

The Office of Student Rights & Responsibilities (SRR)

The Office of Student Rights & Responsibilities (SRR) provides guidance and support to students by addressing a broad spectrum of issues that may act as barriers to student success. SRR is the primary Student Conduct and enforcement office of University community standards through the administration of the UTRGV Student Code of Conduct (Code), Handbook of Operating Procedures Policy Number: STU 02-100 and STU 02-200.

SRR conducts University wide educational and preventative outreach programming addressing SRR policies and procedures to include student discipline, grievances processes, and Bystander Intervention through the Vaqueros Step Up program.

The student conduct review process promotes student development by addressing behaviors that are inconsistent with community standards and expectations, as defined by the Code. SRR conducts fair and impartial investigations and hearings pursuant to the Code. When appropriate, SRR implements educational sanctions. Whenever possible, SRR coordinates with other campus offices and resources in providing holistic support to students.

Reporting of Code violations is encouraged and can be done at [Vaqueros Report It](http://www.utrgv.edu/reportit) (www.utrgv.edu/reportit). Students, staff, and faculty can report any behaviors of concern that occur involving UTRGV students, faculty, staff or departments, whether these behaviors occur inside or outside of the classroom setting.

SRR may conduct an administrative investigation and may also contact the University Police Department if the reported activity appears to include criminal behavior.

Behaviors that should be reported include all violations of university policy such as Student Code of Conduct concerns, academic dishonesty violations, or any kind of disruptive behavior.

SRR supports a campus community of respect through Vaqueros Step Up, an active bystander initiative, which encourages students to safely intervene when they observe fellow students in danger or engaged in risky behaviors, such as alcohol use or abuse, sexual misconduct, academic dishonesty, violations of the student code of conduct, and suicidal ideation. Vaqueros Step Up provides training and resources to the campus community.

Edinburg: University Center # 315, Phone: 956-665-5375

Brownsville: BSTUN 1.2, Phone: 956-882-5141

For additional information see these applicable policies:

[STU 02-100 Student Code of Conduct and Discipline](https://www.utrgv.edu/hop/policies/stu-02-100.pdf) (<https://www.utrgv.edu/hop/policies/stu-02-100.pdf>)

[STU 02-200: Student Grievances and Complaints](https://www.utrgv.edu/hop/policies/stu-02-200.pdf) (<https://www.utrgv.edu/hop/policies/stu-02-200.pdf>)

Student Health

Student Health works to assist students to meet their educational and personal goals by addressing their health concerns during enrollment. Student Health's Health Education section provides health education, wellness promotion, and risk reduction programming to students. Student Health maintains the University's strategic vision of "shared responsibility" to plan, develop, implement, and evaluate health promotion techniques. Student Health is a resource for those in need and designed to provide medical care for uncomplicated illnesses and injuries that are of recent onset and short duration.

Edinburg: 613 N. Sugar Road, next to the University Recreation Building, Phone: 956-665-2511
Brownsville. Research Office Building, Phone: 956-882-3896
E-mail: healthservices@utrgv.edu

Open Monday through Friday from 8:00 a.m. to 5:00 p.m., closed on weekends and designated holidays.
For more information visit the [Student Health's webpage](http://www.utrgv.edu/health-services) (www.utrgv.edu/health-services)

Employee Health Clinics

Employee Health Clinics care for the acute and primary care needs of UTRGV employees and their dependents. The clinics also employ employee flu clinics and provide other preventive health measures that may be needed. Seasonal flu shots and other vaccinations are available, walk ins are available during flu shot season. UTRGV Employee Health Clinics support Environmental Health and Safety employees, in ensuring they are well but safe in their jobs, i.e. mask fitting, annual TB testing, and minor workman's compensation needs.

Employees pay reduced co-pay and appointments or walk-ins are available.

Open Monday through Friday from 8:00 a.m. to 5:00 p.m.

Harlingen: 614 Maco Drive, 956-296-1519

Edinburg: (also Student Health) 613 N. Sugar Road, 956-296-1731

Counseling Center

The Counseling Center helps students with their personal concerns so they can meet the daily challenges of student life. Staffed by licensed mental health professionals, the Counseling Center is open 8:00 a.m. to 5:00 p.m., Monday through Friday, except on designated holidays. The Counseling Center provides mental health services at no cost to currently enrolled students. Counseling Center services are confidential and client records are not part of students' academic records. The Counseling Center operates within professional ethical guidelines and both federal and state laws that protect the privacy of mental health records and assure quality of services.

The Counseling Center is now offering counseling services both online (telemental health counseling) and in-person. Students are asked for their preference (online or in-person) when making an appointment. The center also hosts TimelyCare, a 24/7 virtual emotional support and mental health counseling option for all students.

The Counseling Centers are located on the Edinburg and Brownsville Campus.

For more information call Edinburg: 956-665-2574 or Brownsville: 956-882-3897.

[Counseling Center's webpage](http://www.utrgv.edu/counseling) (www.utrgv.edu/counseling)

Email: Counseling@utrgv.edu

24/7 Vaqueros Crisis Line: 956-665-5555

Collegiate Recovery Program

The Collegiate Recovery Program is a set of services to help students work through the process of recovery from addictive behaviors such as substance abuse. The Collegiate Recovery Program is now offering consultation sessions and support group sessions online and in-person. Students are encouraged to contact the program for any questions regarding these options.

Edinburg: University Center #102,
Phone: 956-665-2674,
Email: wellness@utrgv.edu

The Department of Housing and Residence Life

The Department of Housing and Residence Life offers training on security and safety procedures and the enforcement of residence hall regulations to all Residence Life staff, which includes hall coordinators, resident assistants, and office assistants. Safety inspections every semester help students maintain a safe environment. Residence Life staff also conduct programs with resident students to heighten awareness of safety on campus. The University Police Department officers and Department of Environmental Health, Safety and Risk Management representatives participate in residence hall programs and handle all police, fire, and safety issues in the residence halls.

For more information visit the [Residence Life webpage](http://www.utrgv.edu/housing) (www.utrgv.edu/housing)

The Office of Human Resources

The Office of Human Resources enhances organizational effectiveness at UTRGV in the pursuit of global excellence in teaching, research, health care, and service. HR promotes and enforces University community standards throughout the workplace environment at UTRGV and hosts trainings throughout the year to maintain these standards. By providing a professional and responsive approach to human resources, we further the university's goal of becoming a global leader in higher education.

For the third consecutive year, UTRGV has been recognized as a Great College to Work For.

The following are some examples of HR trainings/initiatives:

- New Employee Orientation (Campus Shield App, Reporting requirements, EHSRM resources and reporting, PD resources, HOP overview)
- Civilian Response to Active Shooter Events – In partnership with UTRGV Police Department
- Campus Safety: Overview of UTRGV PD Services – In partnership with UTRGV Police Department
- Employee Wellness Initiatives:
 - [Eliminate Tobacco Use/Tobacco Cessation](http://www.utrgv.edu/human-resources/current-employee/employee-wellness/tobacco-cessation) (www.utrgv.edu/human-resources/current-employee/employee-wellness/tobacco-cessation)

- [Employee Assistance Program](http://www.utrgv.edu/human-resources/benefits/employee-assistance-program-eap) (www.utrgv.edu/human-resources/benefits/employee-assistance-program-eap)
- [Nursing Mother Suites](http://www.utrgv.edu/human-resources/current-employee/nursing-mothers/index.htm) (www.utrgv.edu/human-resources/current-employee/nursing-mothers/index.htm)
- [Wellness Champion Network](http://www.utrgv.edu/human-resources/current-employee/employee-wellness/wellness-champion) (www.utrgv.edu/human-resources/current-employee/employee-wellness/wellness-champion)
- [Campus Wellness Health Kiosks and Walking Trails](http://www.utrgv.edu/human-resources/current-employee/employee-wellness/campus-wellness) (www.utrgv.edu/human-resources/current-employee/employee-wellness/campus-wellness)
- [Living Well Program](http://www.utrgv.edu/human-resources/current-employee/employee-wellness/living-well) (www.utrgv.edu/human-resources/current-employee/employee-wellness/living-well)

Brownsville: Vaquero Plaza Building B, 956-882-8205

Edinburg: Maryalice Shary Shivers Building room #2.126, 956-665-2451

For more information visit the [Office of Human Resource's webpage](http://www.utrgv.edu/hr) (www.utrgv.edu/hr)

Office of Institutional Compliance

The Institutional Compliance Office at UT Rio Grande Valley serves faculty, staff, and students by supporting a culture of compliance and ethical conduct through an ongoing commitment to integrity, accountability, transparency, and respect in all actions and decisions.

We partner with other departments to ensure compliance with institutional policies, regulations, state and federal laws and we do so by:

- Collaborating with Human Resources and assisting with new employee orientation training, education, and training
- Continuous assessment and monitoring of compliance risk areas
- Implementing controls for identified risks
- Partnering with stakeholders to develop policies and procedures
- Assisting Internal Audits with yearly risk assessments and audits
- Implementing conflict of interest policies and controls
- Compliance reporting to executive leadership

Compliance Hotline/Raising Questions and Concerns

The University of Texas Rio Grande Valley encourages employees to raise compliance related concerns and to report any suspected violations of law, regulations or policy.

Employees are encouraged to address compliance concerns through UTRGV's normal administrative channels. If you have compliance related questions or wish to report suspected compliance violations of any kind:

1. Talk to your supervisor,
2. Contact the UTRGV Compliance Officer: Compliance@utrgv.edu or
3. Call the Compliance Hotline, toll free (877) 882 3999, or File a report on-line via our [Web Intake Site](http://www.utrgv.ethicspoint.com) (www.utrgv.ethicspoint.com)

Both the Web Intake Site and Compliance Hotline are available for situations where conventional channels are uncomfortable or otherwise inappropriate, or for times when someone wishes to raise a concern anonymously. They are operated by an outside company not affiliated with UTRGV and are available 24 hours a day, 365 days a year.

Calls will be taken by a trained professional who will ask questions about the caller's concern. Calls can be taken in English or in Spanish. Reports through the web intake site and calls to the toll-free number can be made anonymously and will not be traced.

A person does not need to know the exact law, regulation, or policy, or be certain a violation has occurred or will occur. If they are uncertain, the better course of action is to report. It is important that reporters provide enough information to allow their concerns to be adequately investigated and addressed.

UTRGV policy [ADM 04-301: Non-Retaliation](http://www.utrgv.edu/hop/policies/adm-04-301.pdf) (www.utrgv.edu/hop/policies/adm-04-301.pdf) prohibits retaliation against anyone who, in good faith, reports an instance of suspected non-compliance or participates in a compliance investigation.

Toll Free Hotline: 877-882-3999; For more info visit [Ethics and Compliance Webpage](http://www.utrgv.ethicspoint.com) (www.utrgv.ethicspoint.com).

Printed and Online Resources

Event	Description	Department Contact
Printed Crime Prevention Literature	Crime prevention literature related to personal safety, auto theft prevention and residential security is available at various locations throughout all campus locations. Specialized crime prevention literature is available upon request.	University Police Department (www.utrgv.edu/police) 956-882-7777
Drug and Alcohol Abuse	The University Police Department has a number of information brochures and pamphlets available in the lobby of the University Police Station. The information covers topics such as drug abuse prevention (courtesy of the U.S. Department of Health and Human Services), underage drinking and drunk driving (courtesy of the Texas Alcoholic Beverage Commission and the Texas Department of Transportation), dating violence (courtesy of the Center for Disease Control & Prevention).	University Police Department (www.utrgv.edu/police) 956-882-7777
Sexual Misconduct Awareness Print and Online Resources	Sexual misconduct educational resources are meant to educate and inform the campus community about sexual misconduct, in its various forms, highlight the applicable policy, ADM 03-300, identify key stakeholders, such as Title IX Responsible Employees, and educate the community about campus, local, and other resources and services related to sexual violence and sexual misconduct awareness and prevention.	Office of Title IX & Equal Opportunity (www.utrgv.edu/otixeo) 956-665-2453 Office for Advocacy & Violence Prevention (www.utrgv.edu/oavp) Brownsville Campus: 956-882-8282 Edinburg Campus: 956-665-8287
Emergency Operation Plan	This plan provides general overarching guidance to managing emergency operations and provides best practices for emergency management activities for mitigation, preparedness, response, and recovery procedures.	The Office of Emergency Management 956-665-2658

Campus Safety Programming

The UTRGV community provides programs to enhance personal safety, teach proactive crime-reduction strategies, and help community members develop self-esteem, which contributes to a healthy community. Some programming and presentations are provided on a yearly basis while others are in accordance with events that may be sponsored by various departments or organizations in a given academic year. The programming is designed to 1) inform students and employees about campus security procedures and practices; 2) encourage students and employees to be responsible for their own security and the security of others; and 3) inform students and employees about crime prevention.

Summary of Community Policing/UTRGV Crime Prevention and Outreach Programs

The following is an overview of some safety programs offered by UTRGV.

The specific times and places for each of these programs are announced through various campus media as they are offered. Programs can also be scheduled individually by contacting the respective departments.

Traditional Programming

Event	Description	Department Contact	Frequency
Civilian Response to Active Shooter Events Training (CRASE)	The course is aimed at enabling civilians involved in an active shooter event within a campus environment to respond efficiently, safely, and decisively.	University Police Department 956-882-7777	Twice a month and available upon request
Vaqueros Step Up	Step Up, a preventative programming initiative under SRR, empowers students through skill-based training to lead, promote pro-social behaviors, enhance campus culture, and build safer communities. Training is designed to equip students with the skills needed to step in and step up through the use of situational videos, discussion, and experiential learning to build confidence, so that students can recognize the warning signs of concerning behavior, know how to safely intervene/report, and know how to have effective difficult conversations. Tabling events throughout the semesters are also used to promote awareness and empower students to recognize problems, to choose to respond effectively and safely, and to take action, reducing risk and harm to their community members.	Student Rights & Responsibilities Edinburg: 956-665-5375 Brownsville: 956-882-5141	Training is offered at least once a semester and is additionally available on demand.

Event	Description	Department Contact	Frequency
Spring Break Luau	SRR's "Party Safe, Party Smart" initiative provides safety resources and information to our students before spring break in collaboration with UTRGV departments and community members.	Student Rights & Responsibilities Edinburg: 956 665-5375 Brownsville: 956 882-5411	Yearly (Spring semester) at the Edinburg and Brownsville campuses.
National Campus Safety Awareness Month	It occurs during the month of September. Presentations highlight the importance of personal safety both on and off campus.	University Police Department 956-882-7777	Yearly
U in the Driver Seat	A peer-to-peer education program for college students dedicated to reducing the amount of drinking and driving as well as distracted driving car crashes. Ongoing presentations and interactive activities to educate students on the dangers of distracted driving with a focus on alcohol awareness.	Student Health Edinburg: 956-665-2511 Brownsville: 956-882-3896	Monthly events throughout the year
Student Orientation - New Students and Transfer Students	The "Vaqueros Care" presentation for Student Orientations includes information on offices and services under the Dean of Students, policies, processes, and resources available to students.	Student Rights & Responsibilities Edinburg: 956-665-5375 Brownsville: 956-882-5411 Dean of Students Office 956-665-2260	Semesterly
Suicide Prevention Training	Geared for the non-mental health professional (i.e., layperson) to build competence and comfort in identifying if a person may be suicidal and assisting that individual in finding and accepting professional help. It involves learning common signs of depression and whether a person may be considering suicide.	Counseling Center Edinburg: 956-665-2574 Brownsville: 956-882-3897	Available upon request.

Event	Description	Department Contact	Frequency
Risk Management Training for Student Organizations	Risk Management Training helps student organization leaders promote safe, responsible, and successful events and activities. The training is required under Texas Education Code § 51.9361, Risk Management Programs for Members and Advisors of Student Organizations. The program covers the following topics: - Alcohol and Illegal Drugs - Hazing - Sexual Misconduct - Fire and Life Safety - Travel - Restrictions on Foreign Adversary Funding, Gifts, and Support - Behavior at organization sponsored parties and social events - The Clery Act - Accessibility and inclusion of individuals with disabilities - Adoption by Student Organizations of a Risk Management Policy	Center for Student Involvement Edinburg: 956-665-2660 Brownsville: 956-882-8438	Risk Management Training is typically offered each September through the L.E.A.D. Conference for student organizations, with sessions held in both Brownsville and Edinburg. Additional training is provided year-round for new student organizations.

One-time Programming

Event	Description	Department Contact
Vaqueros Against Domestic Violence, (Purple Day)	In observance of National Domestic Violence Awareness and Prevention Month, UTRGV invites students, staff, faculty, and all members of the UTRGV community and extended families to wear purple, to support survivors, and to address harmful misperceptions of domestic violence. This event brings together the campus and partners to highlight available resources.	Office for Advocacy & Violence Prevention Edinburg: 956-665- 8287 Brownsville: 956-882-8282 University Police Department, Victim Services Specialist: 956-665-3164
Denim Day (International Day of Solidarity Against Sexual Assault)	In observance of National Sexual Assault Awareness and Prevention Month, UTRGV invites students, staff, faculty, and all members of the UTRGV community and extended family to wear jeans in recognition of the harmful stigma associated with sexual assault.	Office for Advocacy & Violence Prevention Edinburg: 956-665- 8287 Brownsville: 956-882-8282 University Police Department, Victim Services Specialist: 956-665-3164

Event	Description	Department Contact
Let's Talk About Consent	Panel discussion with representatives from University Police, Office of Title IX & Equal Opportunity, Office for Advocacy & Violence Prevention and others on applicable policy standards under ADM 03-300, Sexual Harassment and Sexual Misconduct and societal messaging.	Office for Advocacy & Violence Prevention Edinburg: 956-665- 8287 Brownsville: 956-882-8282
Annual CAVE (Coalition Against Violence & Exploitation) Conference	Annual panel-based, interdisciplinary, free education and awareness conference dedicated to educating first responders, mental health professionals, students, faculty, and staff on issues of violence victimization and primary, secondary, and tertiary prevention programming. The CAVE Conference provides free CEUs to participating professionals.	Office for Advocacy & Violence Prevention Edinburg: 956-665- 8287 Brownsville: 956-882-8282
Getting to Know the Helping Hands Resource Table Fairs	Awareness campaigns for students, staff, and faculty to offer an opportunity to meet people involved with the various resources, offices, and agencies available on campus and in the community	Office for Advocacy & Violence Prevention Edinburg: 956-665-8287 Brownsville: 956-822-8289 University Police Department, Victim Services Specialist: 956-665-3164
Stalking Awareness Resource Fair	This campaign is for students, staff, and faculty to learn about stalking and the available resources on campus and what stalking is.	Office for Advocacy & Violence Prevention Edinburg: 956-665-8287 Brownsville: 956-822-8289 University Police Department, Victim Services Specialist: 956-665-3164 Student Health Edinburg: 956-665-2511 Brownsville: 956-882-3896

Event	Description	Department Contact
Teen Dating Violence Awareness Month Fair	This campaign is for students, staff, and faculty to learn about the available resources on campus.	Office for Advocacy & Violence Prevention Edinburg: 956-665-8287 Brownsville: 956-822-8289 University Police Department, Victim Services Specialist: 956-665-3164 Student Health Edinburg: 956-665-2511 Brownsville: 956-882-3896
What They Were Wearing	The installation challenges participants to engage with the universal connection we have with clothing and reflect on what gives this specific rape culture myth so much power. The installation asks participants to understand that it was never about the clothing and the act of shedding those clothes is never enough to bring peace or comfort to survivors.	Office for Advocacy & Violence Prevention Edinburg: 956-665-8287 Brownsville: 956-882-8282
Social Media Campaigns	Various campaigns addressing sexual assault, domestic/dating violence, stalking, or harassment, etc. education/awareness/prevention	Office for Advocacy & Violence Prevention Edinburg: 956-665-8287 Brownsville: 956-882-8282

Policies for Reporting Crimes

The University Police Department is responsible for the welfare of students, faculty, and staff on all UTRGV campuses. The University Police Department is responsible for the security of the University and the enforcement of all state laws and University rules and regulations relating to motor vehicles and traffic on campus. The University Police Department is open 24 hours a day, 365 days a year and is staffed by commissioned Texas Peace Officers and supported by non-commissioned Public Safety Officers, Telecommunication Officers, and other civilian personnel. Emergency telephones are located throughout UTRGV campuses, including parking lots and all elevators. These emergency phones can be used to report crimes, emergencies or to request police services. Emergency phones are monitored and answered by the University Police Department's Communications Center. In addition, UTRGV provides a cell phone App (CampusShield) that can be utilized to contact the police department to report crimes, emergencies, or to request police services. The CampusShield App and the [Silent Witness Form](https://www.utrgv.edu/police/crime/reporting) (https://www.utrgv.edu/police/crime/reporting) can be used by victims or witnesses to report crimes on a voluntary, confidential basis.

Promptly Reporting Crimes

UTRGV Police Department encourages accurate and prompt reporting to campus police and appropriate police agencies of all criminal offenses, including incidents when the victim of a crime elects or is unable to make such a report. In case of an emergency or to report a crime, you should call 956-882-4911 or 911.

Individuals who may be victims, complainants, witnesses to a crime, or otherwise become aware of a crime, are strongly encouraged to timely report the incident to University Police. Victims or witnesses can report crimes of sexual violence, as well as other forms of sexual misconduct on a voluntary, confidential basis pursuant to ADM 03-300 using the online [OTIXEO Report It Form](http://www.utrgv.edu/otixeo) (www.utrgv.edu/otixeo).

UTRGV Responsible Employees have a duty to report incidents of and information reasonably believed to be Sexual Misconduct as defined within ADM 03-300 to the Office of Title IX & Equal Opportunity. All employees at UTRGV are Responsible Employees except those individuals specifically identified as Confidential Employees (such as individuals with the Office of Advocacy & Violence Prevention and any employee with confidentiality privileges as specified within ADM03-300. Responsible Employees include all administrators, faculty, staff, police officers, resident life directors and advisors, and graduate teaching assistants. Responsible Employees must report all known information concerning the incident of sexual misconduct to the Office of Title IX & Equal Opportunity and must include whether a Complainant has expressed a desire for confidentiality when reporting the incident.

All members (students, employees, and guests) of the UTRGV community are encouraged to accurately and promptly report all criminal incidents, accidents, suspicious behavior and any emergencies on campus, on public property running through or immediately adjacent to the campus, or in other property that is owned or controlled by The University of Texas Rio Grande Valley to the University Police Department using the telephone numbers listed on this page or the CampusShield App.

Individuals may also report incidents in person at the University Police Department. Upon receipt of the call, University police officers are dispatched on a priority basis according to the seriousness of the calls received or asking the victim to report to UTRGV PD to file an incident report. Once a crime is reported, and if appropriate,

the officer will complete a police report after the required action has been taken. Reports of criminal offenses are forwarded to the Criminal Investigations Division (CID) of UTRGV Police Department. To check on the progress of an investigation a person may contact the CID at 956-665-3273.

Local Police and Fire Department Phone Numbers

(Consider programming these numbers into your cell phone):

Location	Contact Information
Off-Campus Emergency	911
On-Campus Emergency	956-882-4911
On-Campus Non-Emergency	956-882-7777

City of Edinburg

Department	Contact Information
Police Emergency	911
Police Non-Emergency	956-289-7700
Fire Emergency	911
Fire Non-Emergency	956-383-7691

City of Brownsville

Department	Contact Information
Police Emergency	911
Police Non-Emergency	956-548-7000
Fire Emergency	911
Fire Non-Emergency	956-548-7000

City of Harlingen

Department	Contact Information
Police Emergency	911
Police Non-Emergency	956-216-5940
Fire Emergency	911
Fire Non-Emergency	956-230-8011

City of Laredo

Department	Contact Information
Police Emergency	911
Police Non-Emergency	956-795-2800
Fire Emergency	911
Fire Non-Emergency	(956) 718-6000

City of South Padre Island

Department	Contact Information
Police Emergency	911
Police Non-Emergency	(956) 761-5454
Fire Emergency	911
Fire Non-Emergency	(956) 761-3040

City of Port Isabel

Department	Contact Information
Police Emergency	911
Police Non-Emergency	956-943-2727
Fire Emergency	911
Fire Non-Emergency	956-943-3523

City of Rio Grande City

Department	Contact Information
Police Emergency	911
Police Non-Emergency	956-487-8892
Fire Emergency	911
Fire Non-Emergency	956-487-5312

City of McAllen

Department	Contact Information
Police Emergency	911
Police Non-Emergency	956-681-2000
Fire Emergency	911
Fire Non-Emergency	956-681-2500

City of Weslaco

Department	Contact Information
Police Emergency	911
Police Non-Emergency	956-968-8591
Fire Emergency	911
Fire Non-Emergency	(956) 447-3415

Campus Security Authorities (CSA)

UTRGV acknowledges that some individuals may be hesitant about reporting crimes to the police but may be more inclined to report incidents to other campus-affiliated individuals designated as Campus Security Authorities for purposes of including them in the annual statistical disclosure and assessing them for issuing a Timely Warning Notices, when deemed necessary.

Campus Security Authorities are individuals who have significant responsibility for student and campus activities such as resident assistants, athletic staff, student affairs staff, and student organization advisors. The Campus Security Authorities may contact the University Police Department for further assistance. CSA's have a responsibility to report to the UTRGV Police Department.

While reports can be made to any Campus Security Authority, several recommendations are listed below:

Office	Edinburg	Brownsville/Harlingen Campus
Dean of Students Office	956-665-2260	956-882-5141
Office for Student Rights & Responsibilities	956-665-5375	956-882-5141
Office of Title IX & Equal Opportunity	956-665-2453	956-882-1905
Office of Housing and Residence Life	956-665-3439	956-882-7191

Voluntary Confidential Reporting

Victims of a crime who do not want to pursue action within the University system or the criminal justice system can still make a confidential report. With the victim's permission, a UTRGV PD officer can file a report on the details of the incident without revealing the reporter's identity (except to the Title IX Coordinator in the event of a reported sex offense or sexual harassment). The purpose of a confidential report is to comply with a victim's wish to remain anonymous, while taking steps to enhance the future safety of themselves and others. With such information, UTRGV can keep an accurate record of the number of incidents involving students, employees and visitors; 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 crime statistics for the institution.

Pastoral and Professional Counselors

UTRGV does not have pastoral counselors.

Crimes reported to professional counselors at UTRGV's Counseling Center are exempt from disclosing information to the UTRGV Police Department (except by law in cases where there is an immediate threat to the safety of individual, other persons, children, or the elderly) because of their function within the scope of their professional license or certification as a counselor

These officials also are encouraged to inform the complainant(s) they counsel to report crimes on a voluntary, confidential basis for inclusion in annual crime statistics to The University of Texas Rio Grande Valley Police Department, if any when they deem it appropriate.

Crime Reporting Methods for Non-Campus Locations

Reports of crimes that occur off-campus may also be made to the UTRGV Police Department and the proper law enforcement agencies will be contacted if necessary.

On an annual basis, the Clery Manager makes every attempt to obtain crime statistics for non-campus buildings and public property from the law enforcement agencies with jurisdictions for their respective areas. UTRGV does not have student organizations officially recognized by the institution that own or control non-campus buildings.

Once again, the University Police Department **strongly encourages** crime complainants to report all criminal activity to police in order to ensure prompt evaluation for timely warning or emergency notification and for inclusion in the statistics for the ASFSR.

Reporting & Preventing Sexual Misconduct & Power-Based Violence

Policy Statement

It is the policy of The University of Texas Rio Grande Valley to provide an educational and work environment for our students, faculty and staff free of sexual misconduct. This commitment is core to our institutional culture, reflected in our policies and practices, and is in accordance with state and federal law, such as Title IX and the Clery Act. Toward that end, The University of Texas Rio Grande Valley reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the university community.

UTRGV prohibits the crimes of sexual misconduct, which includes non-consensual sexual contact, sexual exploitation, gender-based discrimination, sexual harassment and the Clery Act-defined crimes of domestic violence, dating violence, sexual assault, and stalking. This statement of policy serves to inform the campus community of our programs to address these offenses, as well as the procedures for institutional disciplinary action. These disciplinary procedures will be followed regardless of whether the incident occurs on or off campus when it is reported to a university official.

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

Power-based violence happens when someone uses power, control, or intimidation to harm someone physically or emotionally. With the goal of maintaining and fostering a University living, learning, and work environment for students and employees that is free of sexual misconduct and power-based violence, the University sponsors education and awareness programs and activities, as described in earlier sections of this ASFSR, and identifies available support service resources via print and online media, also as described above. Educational programs that raise awareness to incoming students and employees are conducted during orientations and throughout the year. This programming includes research-based best practices regarding violence awareness and prevention, healthy

relationships, bystander intervention, and risk reduction without victim-blaming. This programming is designed to decrease perpetration and bystander inaction and increase empowerment for victims, in order to promote safety, to help individuals, the campus and local community to address conditions that facilitate violence.

In addition, victims and survivors of sexual misconduct receive individualized emails from OTIXEO that outlines information about rights and options through the sexual misconduct grievance procedures, provides information about the importance of preserving evidence that may assist in proving that the alleged sexual misconduct occurred or that may be helpful in obtaining a protection order and what steps to follow to file for a protective order, how and who to contact to make a report, information about the option to report to PD or campus authorities and the option to receive assistance from an advocate when making a report through the Office for Advocacy and Violence Prevention.

UTRGV sponsors educational programs and campaigns to promote the awareness of dating violence, domestic violence, sexual assault, and stalking during new student orientation, employee orientation, and throughout the year. This training includes information on bystander intervention, such as practicing the “4Ds,” and identification of risk reduction techniques. Risk reduction includes identification of safety planning options, identifying the various ways a report can be made, communication of the grievance procedures, and providing the name and contact details of wellness support resources, such as the Office for Advocacy and Violence Prevention, that can help individuals tailor an individualized support plan.

These primary prevention programs also include a statement that UTRGV prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking (see Appendix C: ADM 03-300). The definitions of dating violence, domestic violence, sexual assault, stalking, consent, and information as to the applicable jurisdiction are provided (see ADM 03- 300). Students and employees are made aware of the ways to make a report, the procedures the institution follows when one of these crimes is reported and given information as to rights within disciplinary proceedings applicable to students or employees see (see Appendix C: ADM 03-300).

Safe and positive options for bystander intervention include:

- a. reporting sexual misconduct to the Office of Title IX & Equal Opportunity, and
- b. direct links to the [OTIXEO website](http://www.utrgv.edu/OTIXEO) (www.utrgv.edu/OTIXEO) which includes specific bystander intervention approaches, such as:
 - i. **Direct:** This is when someone steps in and directly intervenes to call out the situation, such as, “please stop with the raised voice, I can’t hear myself think.” Be careful if you take a direct approach to not put yourself or the person you are trying to help in danger.
 - ii. **Distract:** Doing anything (safe) that distracts someone else enough from continuing abusive behavior. This can be anything from saying, “Hey, you have something weird on the back of your shirt that is crawling around” to “someone is looking for you in another room.” If someone is distracted looking at, or focused on something else, this leaves room for the person in potential danger to get out of the situation, with you, or a group of friends.
 - iii. **Delegate:** Figure out a safe plan to help someone out of a bad situation with others who have greater social power, such as a party host, security guard, police officer, or group of mutual

friends that can keep the situation from escalating and are better equipped to de-escalate the situation.

- iv. **Delay:** Speaking with the person who is potentially in a distressing situation and asking that person

a question like, “Hey, are you okay?” or “Can I do something?” when a natural opportunity presents itself to speak when it is safe. “Delay” strategies can also take the form of finding others to assist with an intervention and to inform a plan of safe and respectful action. The online training for students also includes short hypothetical videos to demonstrate bystander strategies in action.

Our primary prevention programs are designed to decrease perpetration and bystander inaction, as well as increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence. Training educates on how to not engage in perpetration, by focusing on consent.

Specifically, the University offered the following ongoing prevention and awareness programs for students, faculty, and staff in 2025:

Program/Campaign (Audience)	Prevention and Awareness Focus	Primary Prevention	Ongoing Campaign	Frequency
Healthy Relationships (Students)	Research-based, victim-centered programming addresses healthy and toxic relationships and consent, while engaging students in efforts to address and prevent sexual violence.	✓	✓	Monthly; ongoing year-to-year
Mandatory Sexual Misconduct Orientation – (New and Transfer Students)	Education on consent, safety planning, bystander intervention, sexual misconduct policy expectations, and primary prevention/risk-reduction strategies.	✓	✓	Semesterly
Title IX Presentations and Mandatory Online Training (Students, Faculty, and Staff)	Classroom presentations addressing sexual misconduct, applicable policies, Title IX Responsible Employees, reporting/support resources, and violence prevention.	✓	✓	1–2 times per month and available upon request
Vaquero Step Up Project - Active Bystander Initiative/Stalking Awareness (Students)	Presentations and tabling that empower students to recognize problems, choose to respond, and take action. Stalking Awareness addresses warning signs, reporting, and available resources.	✓	✓	Training is offered at least once a semester and is additionally available on demand

Program/Campaign (Audience)	Prevention and Awareness Focus	Primary Prevention	Ongoing Campaign	Frequency
New Employee Orientation (Staff)	Education regarding mandatory reporting, sexual misconduct and discrimination policies, resources for victims and survivors, bystander resources, and violence prevention.	✓	✓	Twice per month
New Faculty Orientation (Faculty)	Education regarding mandatory reporting, sexual misconduct and discrimination policies, resources for victims and survivors, bystander resources, and violence prevention.	✓	✓	Yearly, or as needed

Applicable Policies

Policies that address sexual misconduct and gender-based misconduct are UTRGV Handbook of Operating Procedures ADM 03-100: Non-Discrimination & Complaint Procedure; ADM 03-300: Sexual Misconduct; ADM 03-400: Consensual Relationships; ADM 04-303: Discipline and Dismissal of Classified Employees; ADM 04-305: Probationary Period for Classified Employees; ADM 06-111: Faculty Grievances; UTS 198: Termination of a Faculty Member and STU 02-100: Student Conduct and Discipline. UT System policies are publicly available on The UT System Website (<https://www.utsystem.edu/sites/policy-library/uts-policies>) and University policies are available on our [University's website](http://www.utrgv.edu/hop) (www.utrgv.edu/hop).

Reporting Sexual Misconduct

The University strongly urges students, faculty, staff, and third parties to report sexual misconduct to the Title IX Coordinator, a Deputy Title IX Coordinator, a Responsible Employee, or University Police (if the victim so desires). The University Police Department is not contacted when sexual misconduct occurs, unless a victim wishes to make a formal report to PD or there is an emergency threat to health or safety. Victims of sexual misconduct can secure information confidentially through the Office for Advocacy & Violence Prevention, if he or she is not ready to make a formal report to the police. If requested, Campus Security Authorities (CSA) can help victims of sexual misconduct report to law enforcement, but CSAs may also honor a victim's or survivor's request not to do so. Reports of all domestic violence, dating violence, sexual assault and stalking made to the University Police Department will automatically be referred to the Title IX Coordinator regardless if the complainant chooses to pursue criminal charges.

If the victim is incapacitated or is unable to make a report, a report should be filed on behalf of the victim. Reporting is best done as soon after the incident as possible but may be done at any time. Individuals also having knowledge of a sex- based crime (including dating violence, domestic violence, and stalking) are strongly encouraged to timely report that crime to the University or local police.

These individuals are also encouraged to contact the service providers identified below to discuss options for safe and positive intervention on behalf of the victim.

UTRGV Title IX Coordinators

Role	Position Title	Department Location	Phone
Title IX Coordinator	Chief Equal Opportunity & Title IX Officer	Office of Title IX & Equal Opportunity ESSBL 3.101- Edinburg Campus	956-665-2103
Deputy Coordinator: Students	Dean of Students	Dean of Students Office EUCTR 323 - Edinburg Campus	956-665-2260
Deputy Coordinator: Athletics	Assistant Athletic Director Student Athlete Services	Athletics EHPEI 1.102 - Edinburg Campus	956-665-2537
Deputy Coordinator: Staff & Faculty	Human Resources Business Partner	Human Resources EMASS 2.144 - Edinburg Campus	956-665-3815
Deputy Coordinator: School of Medicine (SOM)	Senior Associate Dean of Student Affairs and Admissions	SOM Student Affairs EMEBL 3.163	956-296-1414

A complainant can pursue a criminal charge and a University disciplinary charge at the same time; however, students may also choose to pursue a disciplinary complaint without pursuing criminal charges. Complainant support and resources are available even if a victim elects not to pursue criminal charges or University disciplinary action.

The University strongly encourages the prompt reporting of sexual misconduct and power-based violence. Delays in reporting can greatly limit the University's ability to stop alleged misconduct, collect evidence or take effective action against individuals or organizations accused of violating policy.

Declining to File a Report

Known victims receive written notification from OTIXEO informing them that they have the right not to file a report, which includes the right to decline to participate in an investigation if someone were to report on their behalf. However, victims are highly encouraged to seek medical attention, including counseling, either on- or off-campus. Victims and students who wish to file a report at some future date may do so by contacting University Police or the Title IX Coordinator.

Please note, a delay in reporting could weaken or result in a loss of evidence used to determine whether an individual is responsible for sexual misconduct.

How to Report

You can report sexual misconduct in-person, by visiting the OTIXEO offices in Brownsville or Edinburg, online through the online reporting form, OTIXEO Report It, by emailing otixeo@utrgv.edu, or by written submission to our OTIXEO office mailing address. Further details as to these comprehensive ways to report are available on the Office of Title IX & Equal Opportunity website: www.utrgv.edu/otixeo. All students and employees receive education on how to make a report to OTIXEO. Reports can be made anonymously.

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 dating violence, domestic violence, sexual assault and stalking, students and employee victims are provided in writing through email detailed information, to include:

- An explanation of the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred.
- Information about their rights and options through the sexual misconduct grievance procedure,
- Information about the importance of preserving evidence that may assist in proving that the alleged sexual misconduct occurred or that may be helpful in obtaining a protection order and what steps to follow to file for a protective order,
- Information about confidentiality protections.
- Information about the option to report to local PD or campus authorities and the right to be assisted in notifying police
- The option to receive assistance from an advocate, to include transportation assistance, through the Office for Advocacy and Violence Prevention,
- Information regarding the university's provisions, options for, available assistance in, and how to request supportive measures (such as no-contact orders, academic, living, transportation, or working changes) and the right to supportive measures pursuant to the applicable policy, ADM 03-300 (Appendix C).
- An explanation of the formal procedures for institutional disciplinary action as described within ADM 03-300 (Appendix C).
- Information about existing counseling services and additional services available on our website locally and nationally.

In addition, counseling, health, mental health, victim advocacy, legal assistance options, visa and immigration assistance, student financial aid, and other services available to victims, both within the institution and in the community, to the extent identifiable, are also listed on the OTIXEO and OAVP websites. Students and employees are provided with written notification about these resources through the materials they receive as part of the trainings provided by OTIXEO. Victims are provided a link to the resources in writing via email when contacted by OTIXEO.

Reports to UTRGV can be made anonymously through the OTIXEO Report It Form on the [OTIXEO website](http://www.utrgv.edu/otixeo/services/report/index.htm) (www.utrgv.edu/otixeo/services/report/index.htm).

Confidentiality & Reporting

The degree to which confidentiality can be protected depends upon whether the individual to whom the sexual misconduct is reported serves as a mandatory reporter. Under Texas law all UTRGV employees are required to report to the Title IX Coordinator, or a Deputy Title IX Coordinator conduct reasonably believed to be sexual harassment, sexual assault, stalking or dating violence by or against a student or employee at the time of the incident. In addition, most employees at UTRGV must also report to the Title IX Coordinator all known incidences of sexual misconduct (a broader category of misconduct) committed by or against a student or employee; these employees are referred to as, “Title IX Responsible Employees.” All employees should make their mandatory reporting obligation(s) clear, at the onset of a report of sexual misconduct.

When choosing who/where to report, if you have experienced sexual misconduct, please consider that privileged reporting consists of those communications that legally can’t be disclosed to any other person without the reporting person’s consent, except under very limited circumstances, such as an imminent threat of danger to self or others or if the complainant is a minor.

Under state law, UTRGV Confidential Employees are required to report, at a minimum, statistical de-identified information, related to reports of sexual assault, dating violence, stalking and sexual harassment. Confidential Employees include advocates and counselors with OAVP, counselors in Counseling Center, health care providers in Health Services, researchers conducting Institutional Review Board (IRB) approved research studies involving student participants, an employee serving as an advisor for a student respondent or student complainant under ADM 03-300, or pastoral counselors. Additionally, employees who receive information regarding an incident of sexual misconduct under circumstances that render the employee’s communications confidential or privileged under other law (such as attorneys) are also considered “Confidential Employees.”

Confidential Employees may not include any information that would violate a student’s expectation of privacy. The Confidential Employee’s duty to report an incident under any other law also applies.

A person may speak confidentially (as discussed above and in accordance with ADM 03-300) with:

- Office of Advocacy & Violence Prevention Staff
- University Counseling Center (Counselors, Psychiatrists, or Psychologists)
- University Health Service Medical Staff (Physicians, Nurses, or Nurse Practitioners)
- Off-Campus clergy, counselors, physicians, and certain social service agencies.

Confidential employees report only statistical information. If and when they deem it appropriate, they will inform the person they are counseling on how to report crimes on a voluntary, confidential basis.

Record Keeping

UTRGV maintains all publicly available records, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the victim, to the extent required by law. 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.

Student records of the grievance process are disciplinary records and protected under FERPA. Employee records of the grievance process are subject to the Freedom of Information Act (FOIA) and the Texas Public Information Act (TPIA) and included in the employee’s official employment record.

Family Educational Rights and Privacy Act (FERPA)

The Family Education Rights and Privacy Act (FERPA) protect students’ education records and disciplinary complaints made to the Dean of Students Office. FERPA prohibits the University from releasing these records to persons outside the institution without the students’ consent, except in response to lawful subpoena or as otherwise permitted by law.

Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs

Seeking Medical Care/Emergency Room Examination

Any person who has been the victim of a sex-based crime may go directly to the emergency room of any local hospital for medical attention, although it is preferable to go to a medical facility that has dedicated forensic nurses on staff who can conduct Sexual Assault Medical Forensic Examinations (SAFEs) or Sexual Assault Nurse Examiner Exams (SANEs). For life-threatening conditions, call 911, or the University Police Department at 956-882-4911.

Students are not required to criminally prosecute the case or file a police report, unless the sexual assault survivor is a minor. Students also can seek treatment or advice at University Student Health for any medical concerns including physical exams, treatment of sexually transmitted infections, pregnancy testing, and/or to obtain emergency contraception. All medical information and services provided are considered confidential. However, if a student decides to pursue criminal or civil legal action, the student will be required to sign a Health Service Medical Information Release Form to allow their attorney, the police, or the University to gain access to medical information applicable to sexual misconduct.

Students are encouraged to have an exam conducted as quickly after the incident as possible. OAVP can help victims access these resources. Area hospitals that can provide exams and evidence collection are:

Hospital	Directory Information
Doctors Hospital at Renaissance	956-362-8677 5501 S. McColl Rd. Edinburg, TX 78539
Valley Baptist Medical Center	956-389-1100 2101 Pease St., Harlingen, TX 78550

Medical-Legal Evidence Collection

A person who has been the victim of dating violence, domestic violence, stalking, or sex-based offenses (particularly rape, forcible oral copulation, or sodomy) is urged to request collection of medical-legal evidence. Victims are provided information in writing by OTIXEO on how to preserve evidence. Collection of evidence entails interaction with police and a police report. Prompt collection of physical evidence is essential should a person later decide to pursue criminal prosecution and/or a civil action. If the sex-based offense occurred within 120 hours, a free and confidential exam can still be administered at local hospitals. However, the sooner sex-based offenses are reported, the more likely evidence will remain.

To help preserve evidence, the victim is encouraged to try to avoid:

- bathing or douching
- washing hands or face
- urinating
- drinking any liquids
- if oral contact has occurred, the complainant is encouraged to refrain from smoking, eating, or brushing their teeth
- if clothes are changed, soiled clothes should be placed in a paper bag (plastic can destroy crucial evidence)

Preserving evidence is important in that it may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order.

Counseling

Counseling can be obtained following an incident involving sexual misconduct, no matter how much time has elapsed since the incident. On and off-campus resources are available 24 hours a day, 7 days a week for students, faculty and staff members. A list of the available resources can be accessed on the [Counseling Center Website](http://www.utrgv.edu/counseling/services) (www.utrgv.edu/counseling/services).

The Counseling Centers are located on the Edinburg and Brownsville Campus.

For more information call Edinburg: 956-665-2574 or Brownsville: 956-882-3897.

Counseling services are free and confidential. Counseling services are available for faculty and staff through UT Employee Assistance Program or through psychological services provided through their individual insurance and is confidential.

The following programs provide emergency services for victims of family violence, legal advocacy, transitional supportive housing, and other services for survivors of sexual assault, abuse, or incest:

- The Rape Crisis Center of Mujeres Unidas/Women Together in McAllen (956-630-4878)
- Friendship of Women in Brownsville (956-544-7412).

Procedures the University Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking is Reported

Immediate Response Following a Report of Sexual Misconduct

When a report is received by UTRGV, the University, through the Title IX Coordinator, a Deputy Title IX Coordinator or a Title IX Responsible Employee, will first urge the student, staff and faculty to attend immediately to any medical needs. The person making the report is provided information as to medical resources and related support service resources in writing. The complainant, the alleged victim, will also be informed of his or her right to file or decline to file a police report or file a disciplinary complaint against the respondent, the person accused of misconduct, and provided a copy of ADM 03-300, the sexual misconduct policy, in writing. If desired, the Title IX Coordinator or a Deputy Coordinator will also help that person contact the University, local police or the Office for Advocacy and Victim Prevention.

Please note that confidential medical and counseling records regarding the complainant's sexual history is not provided to the respondent and is not admissible at any University disciplinary proceeding.

As noted, supportive measures are available and offered in accordance with ADM 03-300. Supportive measures include screens to reduce the likelihood of interactions between a complainant and respondent in residence halls, campus buildings, and as relates to university activities. A list of supportive measures available is listed further below under the section supportive measures.

Timely Warning and Emergency Notifications

If a report of a sex-based offense reveals that there is an immediate threat to the health or safety of students or employees on campus, or that an on-going serious or continuing threat to the campus community exists, a Timely Warning will be issued. The purpose of the Timely Warning is to enable individuals to protect themselves and to increase safety awareness, as well as to seek information that will lead to the arrest and conviction of the perpetrator. The complainant's name and other personally identifiable information will **not** be included in any Emergency Notification or Timely Warning.

Notification of Rights and Options

Following a report of dating violence, domestic violence, sexual assault, stalking, and other forms of sexual misconduct, whether the offense occurred on or off campus, OTIXEO provides the student or employee a written explanation of the student's or employee's rights and options through ADM 03-300 in writing through email. UTRGV's grievance procedures for disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking are provided in writing at that time through inclusion of ADM 03-300.

Protective Orders and No Contact Orders

UTRGV complies with Texas law in recognizing Protective Orders through the Crime Victims' Compensation Act. A Protective Order is a civil court order, a violation of which can be a crime, which is issued to protect a

person from continuing acts of family violence or stalking. It will direct the abuser to stay a certain distance (usually 200-500 feet) away from the protected person's home, school, or place of employment, prohibit the abuser from committing conduct that would harass or alarm the protected person, and prohibit the abuser from committing further acts of violence or stalking against the protected person. A victim must apply for a Protective Order through the court system; UTRGV Victim's Services (UTRGV Police Department) will assist the victim with starting this process. Detailed information about how to apply for a protective order is provided to the victim on the OTIXEO website <https://www.utrgv.edu/otixeo/know/protective-orders>. If a student or employee has a Protective Order, UTRGV strongly encourages them to provide a copy of the Protective Order to the UTRGV PD who can assist in enforcing the order if necessary.

UTRGV may issue an institutional no contact order if deemed appropriate or at the request of the complainant or respondent. If UTRGV receives a report that such an institutional no contact order has been violated, it will initiate disciplinary proceedings appropriate to the status of the respondent (student, employee, etc.) and will impose appropriate sanctions if the respondent is found responsible for violating the no contact order.

Victims have the right to seek assistance from UTRGV PD with respect to enforcement of orders of protection, "no-contact" orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court, or as issued by UTRGV.

Protective Measures Available for Victims

UTRGV offers reasonably available individualized services, without any fee or charge, to the parties involved in a reported incident of sexual misconduct whether or not a formal complaint is filed with OTIXEO or University Police, when applicable, as supportive measures.

Supportive Measures

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, OTIXEO provides written notification to victims about the availability of supportive measures, offers supportive measures, and provides information about how to and to whom to direct requests for supportive measures if they wish to do so at a later time. Written information about existing on-campus and off-campus support services, which includes contact information for the services to victims when reports are received is also sent.

Supportive measures include, but are not limited to, housing reassignment, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, withdrawal from or retake of a class without penalty, campus escort services, transportation related assistance, mutual restrictions on contact between the parties, change in work or housing locations, leaves of absences, increased security and monitoring of certain areas of campus or other similar measures tailored to the individualized needs of the parties.

OTIXEO maintains as confidential any supportive measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of OTIXEO to inform the appropriate action and to provide an appropriate supportive measure.

Summary of Sexual Misconduct Administrative Complaint Process

The University responds to all reports, and if appropriate, conducts formal investigations pursuant to ADM 03-300. Investigations are conducted in a fair, prompt, and impartial manner. Sexual misconduct investigations that fall within “Title IX” are assigned for investigation, undergo a hearing process and decisions as to whether a violation has occurred is made by an assigned hearing officer. Other forms of sexual misconduct that fall outside of “Title IX” are assigned for investigation and a designated investigator prepares a report, each party is provided an opportunity to provide written comments, and a written decision is made by a designated official. As needed, the University may adopt remedial measures or sanctions based on the situation. The standard of evidence used when investigating and resolving complaints is the preponderance of the evidence standard.

Rights of the Complainant & Respondent

- Protection under applicable privacy laws (e.g., Title IX & FERPA)
- To be informed of the University’s complaint handling and disciplinary process
- Notice when an investigation is initiated simultaneously in writing
- To the presence of an advisor of choice
- An opportunity to respond to findings
- To be informed of the outcome
- The availability of supportive measures

Preliminary Assessment

- OTIXEO will review all reports that the sexual misconduct policy was violated.
- OTIXEO sends in writing information to the named victim that includes reporting options, the availability of supportive measures, evidence preservation information, and pertinent policies.
- Contact between the two parties will be limited to the extent possible given the circumstances, as needed or requested upon an individualized review.
- If an investigation is opened, the University will also seek and review relevant evidence.
- At the conclusion of the investigation, the University will prepare a report and both parties will be notified.
- When an investigation is initiated and during any stage of the investigation, if the respondent is determined to pose a threat to the physical health or safety, the University may initiate an interim action in the form of student emergency removal or employee administrative leave.

Student Emergency Removal

A student respondent may be removed from UTRGV's education program or activity on an emergency basis if, after an individualized safety and risk analysis, it is determined that such a removal is justified because the respondent poses an immediate threat to the physical health or safety of an individual arising from the allegations of sexual misconduct. Under these circumstances, the Respondent will be notified in writing of the emergency removal from UTRGV's education program or activity by the Dean of Students, and the respondent will have an opportunity to challenge the decision following the emergency removal by directing the challenge within 1 day of receipt of the notification to the Dean of Students. The Dean of Students will respond within 2 days. The Dean of Students' decision is final.

Employee Administrative Leave

An employee respondent may be placed on administrative leave, in accordance with UTRGV's policy and procedures on employee administrative leave, during the pendency of a grievance process, as outlined in ADM 03-300.

Investigations

The purpose of investigations, which includes interviewing the parties and witnesses, is to gather and assess evidence. Complainants, witnesses, and respondents are protected from coercion, intimidation, interference, harassment, retaliation, and discrimination for filing a complaint or assisting in an investigation pursuant to ADM 03-300.

In some circumstances, UTRGV will dismiss a formal complaint, or the part of the allegations in a formal complaint, where Sexual Harassment as defined within ADM 03-300 is alleged and the conduct alleged does not meet the definition of Sexual Harassment, the alleged conduct did not occur in UTRGV's education program or activity, or the alleged conduct did not occur against a person in the United States. In these cases, the matter will be reviewed as a non-Title IX matter in accordance with the alternative grievance procedures of ADM 03-300.

In sum, all complaints of dating violence, domestic violence, sexual assault or stalking involving students, staff or faculty are evaluated under either the formal complaint procedure process outlined in ADM 03-300 or the alternative grievance procedures also detailed in ADM 03-300.

The standard of evidence used with respect to disciplinary proceeding is the preponderance of the evidence standard during any institutional disciplinary proceeding arising from an allegation of sexual misconduct pursuant to ADM 03-300 UTRGV will conduct a prompt, fair, and impartial process from the initial investigation to the final result.

Throughout the process, the institution's proceedings themselves provide both parties with the right to an advisor of choice.

Findings

If the University official finds, by the preponderance of the evidence, that the alleged violation did occur, the University will take disciplinary action pursuant to ADM 03-300.

If a policy violation is found against a student, students are afforded an opportunity to appeal. Although procedural requirements are not as formal as those existing in the courts of law, the student conduct disciplinary process provides procedural safeguards for complainant and respondent alike.

Both the complainant and the respondent are entitled to the same opportunity to:

- access information that will be considered by a hearing official,
- present relevant witnesses and other evidence, and
- have others present during the hearing and related meetings or proceedings.

University resources and services, such as counseling and academic support, will be made available to the complainant and respondent. UTRGV simultaneously notifies, in writing, both the complainant and the respondent of the results of any disciplinary proceeding that arises from an allegation of sexual misconduct, any changes to the result, and when such results become final, the procedures to appeal, if any, and the decisions of the appeal.

Disciplinary Proceedings

ADM 03-300 (Detailed in Appendix C) identifies for students and employees the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, and stalking, including: a description of each type of disciplinary proceeding applicable to students and employees, the steps, anticipated timelines, and decision-making process for each type of disciplinary proceeding, information about how to file a disciplinary complaint, and how the institution determines which type of proceeding to use based on the circumstances of an allegation.

STUDENTS

Title IX Disciplinary Process

In cases involving sexual harassment under Title IX, when a complainant files a formal complaint, the disciplinary proceeding is triggered as a hearing officer determines both whether a violation occurred and the discipline that will be imposed. The complainant and respondent are permitted to appeal the sanction of the hearing officer through a written appeal process.

Specifically, once a hearing office makes a determination of responsibility, within 10 days of notice of the determination, either party may appeal in writing the hearing officer's determination regarding a respondent's responsibility, on the following bases:

1. A procedural irregularity that affected the outcome of the matter;
2. There is new evidence that was not reasonably available at the time of the determination regarding responsibility or dismissal was made that could affect the outcome of the matter; or

3. the Title IX Coordinator, investigator(s), or hearing officer had a conflict of interest or bias for or against the parties (generally, or specifically in this matter) that affected the outcome of the matter.

Any non-appealing party (or UTRGV) will have seven (7) days from the notification of an appeal to submit a written statement in support of the outcome. Written notice of appeal and all supporting information must be emailed to the Appellate Officer within 10 days after the appealing party has been notified of the decision of the Hearing Officer.

The appeal of the decision of the Hearing Officer will be reviewed solely on the basis of the record from the hearing. The record from the hearing shall consist of the recording of the hearing, the documents admitted in evidence, and the written decision of the Hearing Officer. An appeal regarding procedural irregularity or bias may include review of a response by the appropriate UTRGV official(s). The Appellate Officer may approve, reject, or modify the decision in question or may require that the hearing be reopened for the presentation of additional evidence and reconsideration of the decision.

The Appellate Officer shall communicate his or her decision to the accused student, the other party, the Dean of Students, and OTIXEO in writing within 21 days after the appeal and related documents have been received. The decision of the Appellate Officer is the final appellate review.

STUDENTS

Non-Title IX Disciplinary Process

For formal complaints where the respondent is a student at the time of the alleged conduct (including student employees in positions that require student status). Where responsibility finding(s) proceed to the adjudication stage, the respondent and complainant must notify OTIXEO of the determination to elect one of the following options:

1. Agree to the determination of responsibility for each of the applicable allegations, the sanctions, and remedies outlined in an administrative disposition, and waive the option of a hearing. If both parties select this option, then the administrative disposition will be final and there will not be any subsequent adjudication proceedings regarding the allegations.
2. Agree to the determination of responsibility for each of the applicable allegations, appeal (in writing) the sanctions or remedies outlined in the administrative disposition and waive the option of a hearing. If either party chooses this option, and neither selects Option 3, below, then any party may appeal the sanctions or remedies outlined in the administrative disposition, using the Appeals process. The finding of responsibility may not be appealed by either party.
3. Select a live hearing where the determination regarding responsibility of the respondent will be made by a hearing officer. If either party chooses this third option, then a live hearing must be initiated for the adjudication of the conduct allegations. If a live hearing is selected for adjudication, the hearing procedures of ADM 03-300 apply, with the following exceptions:

- 1) Each party may have an advisor of their choice at the hearing. Upon request from either party, UTRGV will provide an advisor to that party. Advisors are not permitted to actively participate in the hearing. In addition, witnesses may have an advisor of their choice at the hearing.
- 2) The hearing officer may, at the hearing officer's discretion, ask questions during the hearing of any party or witness and may be the first person to ask questions of any party or witness. Each party may ask relevant questions of any witness at the hearing, except that cross-examination questions of the other party must be submitted in writing to the hearing officer. The hearing officer will then ask relevant cross-examination questions of the other party and allow for relevant follow-up questions (if applicable). Advisors are not permitted to ask any questions at the hearing.
- 3) A complainant's sexual predisposition or prior sexual behavior are not relevant except where questions and evidence about a complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the alleged conduct charged by the complainant or if the questions or evidence concern specific incidents of the complainant's prior sexual behavior with the respondent and are offered to prove the complainant's consent of the alleged conduct.

FACULTY

Title IX Disciplinary Process

Within 10 days of notice of the determination from the hearing officer(s), either party may appeal in writing the hearing officer's determination regarding a Respondent's responsibility, on the following bases:

1. A procedural irregularity that affected the outcome of the matter;
2. There is new evidence that was not reasonably available at the time of the determination regarding responsibility or dismissal was made that could affect the outcome of the matter; or
3. The Title IX Coordinator, investigator(s), or hearing officer had a conflict of interest or bias for or against the parties (generally, or specifically in this matter) that affected the outcome of the matter.

Any non-appealing party (or UTRGV) will have seven (7) days from the notification of an appeal to submit a written statement in support of the outcome. Written notice of appeal must be emailed to the Appellate Officer, within 10 days after the appealing party has been notified of the decision of the Hearing Officer. The appeal of the decision of the Hearing Officer will be reviewed solely on the basis of the record from the hearing.

The record from the hearing shall consist of the recording of the hearing, the documents admitted in evidence, and the written decision of the Hearing Officer. An appeal regarding procedural irregularity or bias may include review of a response by the appropriate UTRGV official(s). The employee will also deliver a copy of the appeal and all attachments to OTIXEO. The Appellate Officer may approve, reject, or modify the decision in question or may require that the hearing be reopened for the presentation of additional evidence and reconsideration of the decision.

The Appellate Officer shall communicate his or her decision to the accused faculty member, the other party, and OTIXEO in writing within 21 days after the appeal and related documents have been received. The decision of the Division Executive is the final appellate review.

FACULTY

Non-Title IX Disciplinary Process

If the Administrative Official that made the determination of responsibility, concludes that the policy was violated, in cases not involving Sexual Harassment under Title IX, the matter of disciplinary action will be heard in accordance with the applicable disciplinary policies.

The applicable policy for faculty is the UT System Policy 198: Termination of a Faculty Member, which covers policies and procedures for the termination for good cause of a faculty member (granted tenure and of all other faculty members).

The “Good cause” for termination may be found when the faculty member has engaged in conduct sufficiently serious in nature that the president determines it is in the best interest of the institution to separate the implicated faculty.

Upon receipt of an allegation of misconduct, the Chief Academic Officer (CAO), shall review the allegation and determine whether if true it justifies recommending proceeding with the good cause procedures as follows:

(a) Notification to Faculty Member of Allegations.

When the CAO reviews allegations against a faculty member that involve the potential for termination, the CAO shall present the faculty member with written notice of the allegations and an explanation of the evidence supporting termination.

(b) Faculty Member Meeting Opportunity.

As part of the review process, the CAO shall set a date to meet with the faculty member and provide an opportunity for the faculty member to respond to the allegations and to present to the CAO a grievance related to the allegations under review.

(c) Faculty Member Grievance Opportunity.

The faculty member will have the right to present a grievance, directly or through a representative, to the CAO on an issue or subject related to the allegations under review. If the faculty member elects to exercise the right to a grievance, the faculty member must present the grievance no later than five (5) business days prior to the meeting with the CAO. The faculty member may request one extension of time from the CAO, if needed.

(d) CAO Options upon Review of Allegations.

Upon completion of the review of allegations of good cause, the CAO may:

- (1) Recommend to the president that good cause exists to proceed with the termination process.
- (2) Conclude that the allegations may constitute Serious Misconduct that warrant initiating the Summary Dismissal process (also referenced in policy UT System Policy 198: Termination of a Faculty Member).
- (3) Impose discipline less than termination, described below.
- (4) Refer the matter to another department or dean to impose discipline less than termination; or
- (5) no disciplinary action taken.

When termination is not recommended but disciplinary action is taken, the faculty member may choose to grieve the discipline under the applicable policy, ADM 06-111: Faculty Grievances.

1. Informal Grievance Process:

To resolve workplace concerns promptly, UTRGV encourages frank and open discussions between faculty members and administrators based upon good faith and mutual respect. Therefore, a concern or dissatisfaction initially must be voiced by means of the informal grievance process and must first be addressed to the administrator or supervisor whose action or decision is in question (the respondent).

- a. To invoke the informal grievance process, a grievant must request in writing to meet with the respondent within ten (10) business days of the grievable action or decision. The respondent is responsible for scheduling and meeting with the grievant at a mutually agreeable time, but no later than twenty (20) business days after receipt of the meeting request.
- b. During the scheduled meeting, the grievant and respondent should make a “good faith” effort to reach a mutually agreeable resolution of the grievant’s concerns about the grievable action or decision.
- c. If a resolution is reached during the meeting, the respondent is then responsible for preparing a written summary of the meeting and of the resolution reached, and providing that written summary to the grievant no later than five (5) business days after the date of the meeting. If no mutually agreed upon resolution is reached, the grievant may proceed with filing a formal grievance under the procedures outlined below.
- d. A faculty member may not formally grieve actions or decisions proposed during the informal meeting or the terms of the agreed upon resolution, if any is reached.
- e. Informal grievance meetings shall not be recorded using any type of recording device unless both the grievant and respondent expressly consent to the use of the recording device prior to the meeting.

2. Formal Grievance Procedure:

If mutually agreed upon resolution is not reached through the informal grievance process, the grievant may pursue the formal grievance procedure outlined below.

- a. To initiate the formal grievance procedure, the grievant shall present a written grievance to the respondent within ten (10) business days of the informal grievance meeting. The

grievant must submit any documents or other information pertinent to the grievance at the same time as the written grievance. Once this formal grievance procedure has been invoked, the grievant may not change or amend the grievance. Upon receipt of the grievance, the respondent must forward a copy of the grievance to the next appropriate administrator (administrator).

- b. The respondent has ten (10) business days to provide the grievant a written response to the grievance, setting forth the respondent's decision as well as the reason(s) and supporting facts for the decision (the grievance response). The next appropriate administrator must be copied on the response to the grievant. The respondent is responsible for maintaining a copy of the grievance and supporting materials, as well as the grievance response and any materials supporting the decision, in a separate grievance file. This grievance file should be forwarded to the next appropriate administrator's office with the copy of the respondent's grievance response.
- c. If the respondent does not satisfactorily resolve the grievance, the grievant may appeal the decision within five (5) business days of receipt of the respondent's decision to the next appropriate administrator. The written appeal must specifically state why the appealed decision is incorrect. Grievances concerning immediate supervisors should be directed to the next appropriate administrator. For example, grievances against a department chair should be directed to the dean.
- d. The administrator receiving the appeal shall review the appeal as well as the grievance file. The administrator may request the respondent to provide additional information in response to the appeal, and the respondent must promptly respond to the request. The administrator shall provide the grievant, respondent, and the next appropriate administrator a written decision regarding the appeal within ten (10) business days. The administrator's response must be included in the grievance file, and the file provided to the next higher administrator.

- e. If a grievant is not satisfied with the administrator's decision, within five (5) business days of receiving the written decision, the grievant may submit to the next higher administrator a written appeal of the administrator's decision. The administrator receiving the appeal shall handle the appeal. If the next higher administrator is the appropriate Executive Vice President (EVP), the grievant may request, but is not required to request, that the appropriate EVP refer the grievance for review to a university-level Faculty Grievance Committee. If the grievant does not expressly request review by a Faculty Grievance Committee, the appropriate EVP will review the appeal and grievance file, and should provide the grievant and respondent a written decision within thirty (30) calendar days of receipt the appeal. The decision of the appropriate EVP will be final.
- f. If the appropriate EVP is the subject of the grievance or appeal, or determines he or she has a potential or actual conflict of interest in deciding the appeal, then the President (or designee) will make the decision whether to refer a grievance to a Faculty Grievance Committee and will provide the final resolution.
- g. Multiple levels to the grievance process are not required when the organizational reporting structure does not provide multiple levels to consider the grievance.

STAFF

Title IX Disciplinary Process

Within 10 days of notice of the determination of responsibility, either party may appeal in writing the hearing officer's determination regarding a Respondent's responsibility, on the following bases:

1. A procedural irregularity that affected the outcome of the matter;
2. There is new evidence that was not reasonably available at the time of the determination regarding responsibility or dismissal was made that could affect the outcome of the matter; or
3. The Title IX Coordinator, investigator(s), or hearing officer had a conflict of interest or bias for or against the parties (generally, or specifically in this matter) that affected the outcome of the matter.

Any non-appealing party (or UTRGV) will have seven (7) days from the notification of an appeal to submit a written statement in support of the outcome. Written notice of appeal must be emailed to the Appellate Officer within 10 days after the appealing party has been notified of the decision of the Hearing Officer. The appeal of the decision of the Hearing Officer will be reviewed solely on the basis of the record from the hearing.

The record from the hearing shall consist of the recording of the hearing, the documents admitted in evidence, and the written decision of the Hearing Officer. An appeal regarding procedural irregularity or bias may include review of a response by the appropriate UTRGV official(s). The employee will also deliver a copy of the appeal and all attachments to the Office of Human Resources. The Appellate Officer may approve, reject, or modify the decision in question or may require that the hearing be reopened for the presentation of additional evidence and reconsideration of the decision.

The Appellate Officer shall communicate his or her decision to the accused employee, the other party, Office of Human Resources and OTIXEO in writing within 21 days after the appeal and related documents have been received. The decision of the Appellate Officer is the final appellate review.

STAFF

Non-Title IX Disciplinary Process

If the Administrative Official that made the determination of responsibility, concludes that the policy was violated, in cases not involving Sexual Harassment under Title IX, the matter of disciplinary action will be heard in accordance with the applicable disciplinary policies.

The following procedure will be followed when an employee who is subject to policy ADM 04-303 Discipline and Dismissal of Classified Employees is demoted, suspended without pay, or dismissed for disciplinary reasons:

1. The supervisor will review the evidence and the proposed disciplinary action with the Chief Human Resources Officer or designee.
2. Once the supervisor has sought and obtained the concurrence of the Chief Human Resources Officer or designee, the supervisor must then obtain the concurrence of the department head or administrative equivalent to whom the supervisor reports before proceeding with the proposed disciplinary action.
3. The supervisor will inform the employee in writing of the reasons for the proposed disciplinary action and the facts upon which the supervisor relies. Before a final decision is made to take disciplinary action, the employee will be provided with an opportunity to respond to the charges in writing within a reasonable time (usually not to exceed 24 hours), and to persuade the supervisor that the grounds for the disciplinary action are mistaken or incorrect. This pre-disciplinary notification serves as an opportunity to avoid mistaken decisions to impose discipline, and is not intended to definitively resolve the propriety of the disciplinary action being considered.
4. If the supervisor is not persuaded by the employee's response that the decision to take disciplinary action is incorrect or mistaken, the supervisor will proceed to impose the disciplinary action after review and approval by the Office of Human Resources. The supervisor will inform the employee in writing of the following:
 - a. whether the disciplinary action is a demotion, suspension without pay, or dismissal and its effective date;
 - b. a specific period for a suspension without pay, not to exceed one (1) month;

- c. the specific incident, conduct, course of conduct, unsatisfactory work performance, or other basis for the disciplinary action;
- d. any previous efforts to make the employee aware of the need to change or improve work performance or conduct; and
- e. reference to any relevant rule, regulation, or policy.

The following procedures will be followed when a probationary employee, which is required to satisfy a probationary period of six (6) continuous months from the beginning date of employment, is subject to policy ADM 04-305 Probationary Period for Classified Employees is dismissed for disciplinary reasons.

- a. UT Rio Grande Valley may terminate the employment of any probationary employee who fails to maintain satisfactory work performance standards or fails to maintain suitable and acceptable standards of conduct.
- b. Before termination, the immediate supervisor must review the facts of the case with the Office of Human Resources, which will review the proposed action with the immediate supervisor and appropriate Vice President or designee of the department.
- c. An employee terminated during the probationary period does not have access to the discipline and dismissal policies and procedures found at HOP ADM 04-303, Discipline and Dismissal of Classified Employees. If the employee believes that the termination was the result of unlawful discrimination or harassment under the laws or constitution of Texas or the United States, the employee may appeal the termination to the Office of Title IX & Equal Opportunity.

Sanctions

Regardless of whether criminal charges are filed, students found to be responsible for sexual misconduct may be subject to sanctions.

The following student sanctions, either singularly or in any combination, may be assessed by the Dean or by the Hearing Officer(s) as applicable, in accordance with these procedures:

- a. Educational training;
- b. No shared classes or extra-curricular activities;
- c. Disciplinary probation;
- d. Withholding of grades, official transcript, or degree;
- e. Bar against readmission, bar against enrollment, drop from one or more classes, or withdrawal from UTRGV;
- f. Suspension of rights and privileges, including but not limited to participation in athletic or extracurricular activities;
- g. Denial of degree;

- h. Suspension from UTRGV for a specified period of time or until the student meets specified conditions. Students who are currently enrolled will be administratively withdrawn from all courses and refunds will not be issued. Suspension is noted on the academic transcript with the term “Disciplinary Suspension.” The notation can be removed upon the request of the student in accordance with the UTRGV’s procedures when all conditions of the suspension are met;
- i. Expulsion (permanent separation from UTRGV). Expulsion creates a permanent notation on the student’s academic transcript;
- j. Revocation of degree and withdrawal of diploma; or
- k. sanction(s) or remedies as deemed appropriate under the circumstances by a designated official tailored to the circumstances of the allegation, as identified in this list a-m.
- l. Restitution or reimbursement for damage to or misappropriation of UTRGV or UT System property.
- m. An Academic Sanction, including a failing grade or reduction of a grade for an examination, assignment, or for a course.

If applicable, sanctions and remedies for employee respondents, are:

- a. Employment probation;
- b. Job demotion or reassignment;
- c. Suspension with or without pay for a specific period of time;
- d. Dismissal or termination;
- e. Ineligible for rehire; or
- f. sanction(s) or remedies as deemed appropriate under the circumstances by a designated official tailored to the circumstances of the allegation, as already identified in this list, a-e.

Sanctions may vary depending on the severity of the violation and the accused’s conduct history. The sanctions for non- consensual sexual intercourse also depend on the record and the violation, which may include expulsion, suspension, removal from campus housing, educational intervention, no-contact orders, loss of privileges, and restrictions from participating in extracurricular activities.

- Both the complainant and the respondent will be informed in writing of the outcome of each stage of the disciplinary proceedings.
- Both the complainant and the respondent may appeal based on the grounds specified using the appeal process specified or ADM 03-300, as applicable.

The Disclosure of Results of Disciplinary Proceedings

The institution 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 the institution against a student who

is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

Sexual Misconduct Training for Key Personnel

All Title IX Coordinators, Deputy Coordinators, investigators, and those with authority over Sexual Misconduct hearings and appeals receive training each academic year about applicable prohibited conduct, grievance processes, due process, and policies related to Sexual Misconduct.

All investigators receive appropriate training regarding issues related to prohibited sexual misconduct and gender-based discrimination and on how to conduct investigations that are equitable, impartial, and that promote safety and accountability.

Important University Definitions Specific to Sexual Misconduct

The definitions specific to sexual misconduct (listed in Appendix A) are the definitions adopted by the University, in accordance with policy ADM 03-300 Sexual Misconduct. Please note that in any criminal action brought by law enforcement, the criminal definitions would apply.

UTRGV recognizes that two consenting adults should be free to conduct a personal relationship if they wish when the relationship does not interfere with the goals and policies of UTRGV; however, some romantic, dating, or sexual relationships, although consensual, do create conflicts of interests. For more information, UTRGV has established policy [ADM 03-400 Consensual Relations](http://www.utrgv.edu/hop/policies/adm-03-400.pdf) (www.utrgv.edu/hop/policies/adm-03-400.pdf).

Texas State Law Definitions

If a person would like to press criminal charges for an alleged violation of a criminal law, or would like to seek an order of protection, the definitions contained in the Texas Penal Code and Texas Family Code would apply, not the definitions used in our University policies, identified above.

These definitions are not used for the purpose of reporting Clery Act statistics.

(Clery Crime definitions are listed in Appendix A).

Texas Family Code Sec. 71.004. FAMILY VIOLENCE

Family violence means:

- 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;

- Abuse, as that term is defined by Sections 261.001(1)(C), (E), (G), (H), (I), (J), (K), and (M) Tex. Fam. Code, by a member of a family or household toward a child of the family or household; or Dating violence, as that term is defined by Section 71.0021 Tex. Fam. Code.

Texas Family Code Sec. 71.003. FAMILY

“Family” includes individuals related by consanguinity or affinity, as determined under Sections 573.022 and 573.024, Government Code, individuals who are former spouses of each other, individuals who are the parents of the same child, without regard to marriage, and a foster child and foster parent, without regard to whether those individuals reside together.

Texas Family Code Sec. 71.0021. DATING VIOLENCE

“Dating Violence” means an act, other than a defensive measure to protect oneself, by an actor that:

- Is committed against a victim or applicant of a protective order:
 - with whom the actor has or has had a dating relationship; or
 - 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
 - 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.

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 the length of the relationship; the nature of the relationship; and the frequency and type of interaction between the people involved in the relationship.

- A casual acquaintanceship or ordinary fraternization in a business or social context does not constitute a

"Dating relationship."

Texas Penal Code Sec. 22.011. SEXUAL ASSAULT

A person commits an offense if the person:

- Intentionally or knowingly:
 - Causes the penetration of the anus or sexual organ of another person by any means, without that person's consent;

- 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; or
- Intentionally or knowingly:
 - Causes the penetration of the anus or sexual organ of a child by any means;
 - Causes the penetration of the mouth of a child by the sexual organ of the actor;
 - Causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor;
 - Causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or
 - Causes the mouth of a child to contact the anus or sexual organ of another person, including the actor.

Texas Penal Code Sec. 22.021. AGGRAVATED SEXUAL ASSAULT

A person commits an offense if the person:

- Intentionally or knowingly:
 - causes the penetration of the anus or sexual organ of another person by any means, without that person's consent;
 - 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; or
- Intentionally or knowingly:
 - causes the penetration of the anus or sexual organ of a child by any means;
 - causes the penetration of the mouth of a child by the sexual organ of the act;
 - causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor;
 - causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or

- causes the mouth of a child to contact the anus or sexual organ of another person, including the actor; and,
- causes serious bodily injury or attempts to cause the death of the victim or another person in the course of the same criminal episode;
- 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;
- by acts or words occurring in the presence of the victim threatens to cause any person to become the victim of an offense under Texas Penal Code Section 20A.02(a)(3), (4), (7), or (8) or to cause the death, serious bodily injury, or kidnapping of any person;
- uses or exhibits a deadly weapon in the course of the same criminal episode;
- acts in concert with another who engages in conduct described by the first section above directed toward the same victim and occurring during the course of the same criminal episode; or
- 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;
- the victim is younger than 14 years of age; or
- the victim is an elderly individual or a disabled individual.

CONSENT: Texas defines consent in this context by defining what “without the consent of the other person” means. A sexual assault or aggravated sexual assault under Texas law is WITHOUT CONSENT if:

- The actor compels the other person to submit or participate by the use of physical force or violence;
- 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;
- The other person has not consented, and the actor knows the other person is unconscious or physically unable to resist;
- 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;
- The other person has not consented, and the actor knows the other person is unaware that the sexual assault is occurring;
- 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;
- 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;

- The actor is a public servant who coerces the other person to submit or participate;
- 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;
- 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
- 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.

Texas Penal Code 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:

- Constitutes an offense under Section 42.07, Harassment, or that the actor knows or reasonably should know the other person will regard as threatening:
 - Bodily injury or death for the other person;
 - Bodily injury or death for a member of the other person's family or household or for an individual with whom the other person has a dating relationship; or
 - That an offense will be committed against the other person's property;
- 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,
- Would cause a reasonable person to:
 - Fear bodily injury or death for himself or herself;
 - 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;
 - Fear that an offense will be committed against the person's property; or
 - Feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended.

Hazing

The University of Texas Rio Grande Valley is committed to fostering a campus environment that is free from violence, harassment, and any form of hazing. As part of this commitment, the institution adheres to the provisions of the federal law, Stop Campus Hazing Act and the Texas Education Code.

UTRGV prohibits students, employees, officers, contractors, and volunteers from engaging in, attempting to engage in, or encouraging others to engage in hazing, as defined by applicable federal and state law and University policy. Federal crime definitions are provided in Appendix A.

Overview of the Stop Campus Hazing Act

The Stop Campus Hazing Act, enacted to address the issue of hazing in student organizations, mandates that universities take proactive steps to prevent hazing and respond to allegations of hazing. Under this law, institutions are required to:

1. *Develop and Implement a Hazing Prevention Program:* Institutions must have policies and procedures in place to prevent hazing in all student organizations, clubs, and teams.
2. *Education and Awareness:* Colleges and universities must offer educational programs to students, staff, and faculty regarding what constitutes hazing, its harmful effects, and how to report it. This includes training on identifying and preventing hazing behaviors.
3. *Reporting and Enforcement:* The law requires institutions to ensure that there are clear, accessible ways for students and staff to report hazing incidents. The institution is also responsible for taking swift and appropriate action in response to hazing reports.
4. *Accountability:* Those found responsible for participating in hazing activities whether on or off campus may face disciplinary action. The law emphasizes accountability for both individuals and organizations involved in hazing.

Hazing Definition

UTRGV Student Conduct and Discipline Policy (STU 02-100) defines Hazing, in alignment with Texas state law, as:

Any intentional, knowing, or reckless act, occurring on or off of the campus, by one person alone or acting with others, directed against a student for purposes of pledging, being initiated into, affiliating with, or holding office in, or maintaining membership in an organization if the act:

- is any type of physical brutality, such as whipping, beating, striking, branding, electric shocking, placing of a harmful substance in or on the body, or similar activity;
- involves any type of physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other similar activity that subjects the student to an

unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;

- any activity, involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;
- Involves coercing, as defined by Texas Penal Code Section 1.07, the student to consume:
 - A drug; or
 - An alcoholic beverage or liquor in an amount that would lead a reasonable person to believe that the student is intoxicated, as defined by Texas Penal Code Section 49.01.
- any activity that induces, causes, or requires the student to perform a duty or task that involves a violation law; or
- any activity that intimidates or threatens the person with ostracism, that subjects the student to extreme mental stress, shame, or humiliation, that adversely affects the mental health or dignity of the student or discourages the person from entering or remaining registered in an educational institution, or that may reasonably be expected to cause a person to leave the organization or the institution rather than submit to acts described in this policy.

For purposes of the University's Hazing definition, the phrase "student organization" means "an organization at The University of Texas Rio Grande Valley (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the University." While student organizations that are not recognized or established by the University are not subject to the University's disciplinary jurisdiction, individuals who engage in violations of the standards of conduct outlined in the University's Hazing policy will be held accountable regardless of whether the student organization in which the Hazing activities occurred is recognized or established by the institution.

Additionally, the University's Hazing policy and student conduct expectations include compliance with the federal definition of hazing (see Appendix A).

Hazing Prevention and Awareness Programs

The University of Texas Rio Grande Valley (UTRGV) provides hazing prevention and awareness programming designed to educate students, employees, and members of the University community about hazing, its potential impact on individuals and organizations, and strategies for preventing and reporting hazing. UTRGV's prevention efforts include primary prevention strategies intended to stop hazing before it occurs, including bystander intervention, ethical leadership, positive group development, and strategies for building group cohesion without hazing.

UTRGV actively works to prevent hazing through the following programs and initiatives:

Program/ Campaign	Description	Contact
Hazing Prevention	In compliance with the Texas Hazing Statute, an annual notification is sent to the University community with information about hazing, its definition, and a list of organizations found responsible for hazing within the previous three years. In compliance with Texas Education Code § 51.9361, Risk Management Programs for Members and Advisors of Student Organizations, the University provides annual risk management training for leaders and advisors of student organizations which covers the topic of hazing. Hazing Prevention Awareness Week annually promotes anti-hazing and prevention workshops/activities for the campus community. Additionally, the Student Organization Handbook informs student organizations about hazing, outlines the responsibilities and penalties for individuals and organizations, and explains reporting requirements and protections.	Center for Student Involvement Edinburg: 956-665-2660 Brownsville: 956-882-8438 Student Rights & Responsibilities Edinburg: 956-665-5375 Brownsville: 956-882-5141

How to Report Hazing

In an effort to encourage reporting of hazing, UTRGV may grant **immunity** from student or employee disciplinary action to a person who, in good faith, voluntarily reports specific incidents of hazing prior to being contacted concerning the incident or being included in the institution's investigation of the incident. This immunity does not extend to the person's own violation of hazing.

Any person who suspects hazing should report through the [Student Violations form](https://www.utrgv.edu/student-life/report-it/index.htm) which is listed on the Vaqueros Report It webpage (<https://www.utrgv.edu/student-life/report-it/index.htm>).

Urgent matters should be reported to the University Police Department at (956) 882-4911.

Campus Hazing Transparency Report

As required by the Stop Campus Hazing Act, the University publishes a Campus Hazing Transparency Report that summarizes findings concerning student organizations established or recognized by UTRGV that have been found responsible for violating the University's Hazing policy. The Transparency Report will be updated to include new findings of organizational responsibility no less than twice annually following a final determination that a student organization has violated the University's Hazing policy.

Each entry published to the Transparency Report will include, at a minimum, the following information:

- the student organization;
- a general description of the violation that resulted in a finding of responsibility;
- whether the violation involved the abuse or illegal use of alcohol or drugs;
- the findings of the institution (i.e., the rationale for finding the organization responsible for Hazing);
- any sanctions placed on the student organization; and
- the dates on which—
 - the incident was alleged to have occurred,
 - the investigation into the incident was initiated,
 - the investigation ended with a finding that a Hazing violation occurred, and
 - the student organization was provided notice that the incident resulted in a Hazing violation.

UTRGV publishes a Campus Hazing Transparency Report twice a year and can be found on the [Hazing website](http://www.utrgv.edu/studentlife/resources/hazing) (www.utrgv.edu/studentlife/resources/hazing). This report ensures that students, faculty, and staff are informed about the occurrence of hazing incidents and the measures taken by the institution to address them. These disclosures meet both state law requirements and Stop Campus Hazing Act requirements.

Accountability

Under Texas law, individuals or organizations engaging in hazing could be subject to fines and charged with a criminal offense.

According to the Texas Education Code, a person can commit a hazing offense not only by engaging in a hazing activity, but also by soliciting, directing, encouraging, aiding or attempting to aid another in hazing; by intentionally, knowingly or recklessly allowing hazing to occur; or by failing to report in writing to the Dean of Students, firsthand knowledge that a hazing incident is planned or has occurred. The fact that a person consented to or acquiesced in a hazing activity is not a defense to prosecution for hazing under this law.

In an effort to encourage reporting of hazing incidents, the law grants immunity from civil or criminal liability to any person who reports a specific hazing event in good faith to the Dean of Students or other appropriate official of the institution and immunizes that person from participation in any judicial proceeding resulting from that report. Individuals and organizations can be prosecuted for a hazing offense. A hazing offense without injury and failure to report a past or planned hazing incident are Class B misdemeanors and individuals are punishable by a fine of up to \$2,000, up to 180 days in jail, or both. A hazing offense that causes serious bodily injury to another is a Class A misdemeanor and individuals are punishable by a fine of up to \$4,000, up to one year in jail, or both. Hazing that results in the death of another is a state jail felony and individuals are punishable by no less than 180 days and up to two years in a state jail, and a fine of up to \$10,000. Organizations involved in a hazing offense are punishable by a fine of up to \$10,000 when there is no injury and up to double the amount lost or expenses incurred because of an injury, damage, or loss. In addition to criminal penalties, students and student organizations may face disciplinary penalties imposed by the university.

Missing Student Notification Policies

Should anyone believe that a student resident is missing, they should immediately contact the University Police Department and a Residence Life or Student Affairs staff member. Suspected missing students should be reported immediately to the University Police Department by calling 956-882-4911.

When resident students move into their residence halls, they are given the opportunity annually to identify a person designated as a confidential missing person contact that UTRGV shall notify no later than twenty-four (24) hours of a determination by the University Police Department or appropriate police authorities that the student is missing.

Students are informed of their option to provide a confidential contact, they are advised that their contact information will be registered confidentially, and this information can be updated on the My.UTRGV.Edu – ASSIST and is kept confidential. Unless otherwise required by law, student contact information will only be accessible to authorized campus officials and law enforcement personnel as part of a missing person investigation and will not be disclosed outside of a missing person investigation. However, should an un-emancipated student under the age of eighteen be determined as missing, in addition to notifying the designated contact person, the University is required, by law, to notify the custodial parent or guardian within twenty-four (24) hours of such determination.

If the student resident cannot be located, then within 24 hours of the student being reported as missing, the UTRGV Police Department will notify:

- i. the designated missing person contact;
- ii. the student's parents or guardian, if the student is under 18 years of age and is not emancipated, and
- iii. the local law enforcement agency that has jurisdiction in the area.

For the complete policy please read [STU 01-400: Notification Regarding Missing Resident Students](http://www.utrgv.edu/hop/policies/stu-01-400.pdf) (www.utrgv.edu/hop/policies/stu-01-400.pdf)

Safety Tips

Whether on campus or any public place, here are some general safety tips to keep in mind:

- a. Travel in groups-often there is safety in numbers. If you are going to separate from your group, tell someone when you will return. Take a cell phone with you.
- b. Park in well-lit areas.
- c. If you feel threatened, cross the street or enter a store or business.
- d. Have your keys in hand as you approach your car. Check under the car and the back seat before you enter.
- e. Alcohol and other drugs can impair your perceptions and decision-making. Do not place yourself in a vulnerable position by being intoxicated or under the influence of other drugs.
- f. If you do drink, set a limit and stick to it. Don't drink on an empty stomach. Also: don't leave a drink unattended. If you are away from your drink any amount of time, toss it. It's not worth the risk.

Out & About

- g. Use the [CampusShield Mobile App](http://www.utrgv.edu/police/services/mobile-app/) (www.utrgv.edu/police/services/mobile-app/) to request the Safe Walk program. Officers will walk students between campus locations. Call 956-882-7777 to request the service.
- h. If you feel threatened or if you want to report something suspicious, use one of the Emergency Phones on campus. The phones, distinguished by their blue lights, connect directly to the University's Police Communications Center 24 hours a day.
- i. Program the University's police emergency number line into your cell phone: 956-882-4911 or call 911.
- j. Notify the University Police Department if you notice anything suspicious or unusual.

In the Residence Halls

- k. Always lock your door; even when you are sleeping or just going down the hall.
- l. Report lost or stolen residence hall keys immediately to your residence hall staff.
- m. Report any malfunctioning locks, doors, or windows to your residence life staff.
- n. Do not allow strangers to enter your room or your residence hall.
- o. Do not prop any exterior doors open to allow unescorted visitors into the residence hall.
- p. Do not leave your keys lying around in your room when you are not in the room.
- q. Do not leave messages on your door about when you will be returning to your room.

Living in Off-Campus Housing

- r. Always lock doors and windows. Many times, thieves enter through unlocked doors and windows. Ask your landlord to install a deadbolt, if one is not present.
- s. Do not answer the door in the middle of the night unless you are expecting someone. Ask your landlord to install a peephole in your front door. If you see someone unexpected at your door during the overnight hours, call 911.
- t. If you are leaving home, turn on a light or a radio or a TV to make it appear that someone is home.
- u. Let the University Police Department know if a streetlight is out.

Emergency Management

Emergency Response Procedures

The UTRGV [Office of Emergency Management \(OEM\)](http://www.utrgv.edu/emergencymanagement) (www.utrgv.edu/emergencymanagement) is committed to openly engaging the university community in preparation, response, recovery and mitigation of emergencies through an all-hazards approach. OEM's highest priority is to help provide a safe and secure environment for UTRGV students, faculty, staff, and visitors. The Office of Emergency Management works cooperatively with all members of the UTRGV community, University of Texas System, Texas Division of Emergency Management, Cameron County and Hidalgo County Emergency Management, City of Brownsville Office of Emergency Management and City of Edinburg Fire Department to achieve this objective.

The Office of Emergency Management has established an Emergency Operations Plan (EOP) to provide a framework for coordinated emergency management activities, including mitigation, preparedness, response, and recovery. OEM also leads the university's continuity planning efforts by developing and supporting Continuity of Operations Plans (COOPs) that help departments sustain essential services during emergencies and other disruptions. A resilient campus depends on an informed and prepared community. OEM encourages all students, faculty, and staff to understand potential threats and hazards, become familiar with emergency procedures, and stay connected to official information sources before, during, and after an incident.

Emergencies occurring on campus should be reported to The University of Texas Rio Grande Valley Police Department by calling 956-882-4911.

UTRGV Incident Management Team

UTRGV has also established an Incident Management Team (IMT) to carry out its EOP in the event that it is activated. Large-scale emergencies require a coordinated response effort between the University and local emergency response agencies. The IMT is comprised of members from the following divisions:

- Academic Affairs, Student Success, and P-16 Integration
- Athletics
- Deputy President
- Finance & Administration
- Governmental and Community Relations
- Health Affairs & Dean, School of Medicine
- Research, Graduate Studies & New Program Development
- and other supporting departments.

During an actual emergency, the IMT evaluates information from various sources and provides feedback and support to the Director of Emergency Management & Continuity Planning. The IMT's support role during an emergency incident is carried out in UTRGV's Emergency Operations Center (EOC), virtually using VEOCI, or remotely via phone. The UTRGV Director of Emergency Management & Continuity Planning is responsible for the overall management of the IMT operations.

Emergency Response

The UTRGV Police Department (UTRGV PD) is the primary first responder to any emergency on all UTRGV campuses. University and city emergency responders, such as UTRGV's Environmental Health, Safety and Risk Management (EHSRM), City Fire Departments, and City Police Departments among others, may also respond to the emergency scene depending on the scope of the emergency. UTRGV's OEM has developed [Ready UTRGV](http://www.utrgv.edu/readyutrgv) (www.utrgv.edu/readyutrgv). Ready UTRGV provides information regarding protective actions to be taken during emergencies, such as an active shooter incident, natural disasters, fire emergencies, technological disasters, and medical emergencies among other situations. Ready UTRGV outlines how to shelter-in-place and what to do during an evacuation. It also provides emergency contact phone numbers.

Emergency Evacuation Procedures

In most cases, evacuations apply only to buildings immediately affected. In some cases, 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, structural failure, bomb threat, chemical/biological/radiological spill. Evacuations are typically prompted by continually sounding fire alarms or by an official announcement through UTRGV's emergency notification system and are advised not to re-enter the building until the all-clear is given by either UTRGV PD or by an official announcement via UTRGV's emergency notification system.

Confirmation of an Emergency or Dangerous Situation

To confirm a significant emergency or dangerous situation is occurring on campus, UTRGV police officers are dispatched to the location where the incident has been reported. If responding officers confirm by way of investigation or observation, that a significant emergency or dangerous situation is occurring, they may rely on information provided by campus administrators, students, or local first responders. The police field supervisor will ensure that appropriate UTRGV officials are notified by the UTRGV police dispatch center.

Emergency Notifications

UTRGV automatically enrolls students, faculty, and staff into UTRGV's emergency notification system with contact information (university email address and mobile number) provided to the institution. Given UTRGV's distributed campus model, notifications do not get segmented to specific populations or UTRGV locations.

Upon the confirmation of a significant emergency or dangerous situation involving an immediate life safety threat to students, faculty, or staff occurring on any UTRGV campus, the UTRGV Police Communication Operators or the UTRGV Director of Emergency Management & Continuity Planning will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the emergency notification system. An emergency notification will be sent to the entire campus community through UTRGV's Emergency Notification System, unless in the professional judgment of emergency response officials, the notifications will compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency. While the entire campus

community is notified, the specific impacted locations and any specific instructions are provided in the same notification itself.

UTRGV uses a web-based single mass notification system with pre-scripted fill in the blank notification templates that have been developed and approved by UTRGV PD and OEM to create and disseminate emergency notifications.

When an incident occurs, the designated staff logs into the emergency mass notification system, selects one of many pre-scripted templates, customizes with the relevant details or information, and when clicking send, all the methods of delivery stated below are automatically pre-selected by default so the campus community recipients will receive the message information simultaneously in multiple ways. This ensures timely notification and communication redundancies of critical information.

- Cell phone
- Text message
- University email address
- University's official Facebook and X page.

An official “all clear” message will be issued by the same mass notification system after an emergency has been concluded.

Guests visiting UTRGV can enroll into receiving emergency notification text messages by texting a specific “hashtag phrase” to 888-777, this information is given to event and camp coordinators to distribute to event or camp attendees.

OEM staff and UTRGV Police Communication Operators are trained on how to activate the emergency notification system, develop messages and alerts, and are authorized to send an Emergency Notification to the UTRGV campus community without prior administrative approval if any significant emergency or dangerous situation were to occur on campus. UTRGV administrators will be promptly notified and briefed by the Chief of Police, or the designee, of any major incidents.

Some examples of significant emergencies or dangerous situations may include, but are not limited to the following:

- Outbreak of meningitis, norovirus;
- Fire;
- Tornado;
- Gas leak;
- Armed intruder;
- Bomb threat;
- Civil unrest or rioting;
- Explosion; and
- Nearby chemical or hazardous waste spill;

The Office of Emergency Management (OEM) administers and conducts monthly testing of the emergency notification system.

In the event of an emergency, UTRGV's University Marketing and Communications will display an alert notification on the university homepage at UTRGV.edu, which will link visitors directly to the official UTRGV.edu/Alerts page for complete details and updates. Official UTRGV social media channels (Facebook, X, Instagram) will also be used to share alerts and direct audiences to the Alerts page. The local news media may be utilized to disseminate emergency information to members of the larger community, including neighbors, parents and other interested parties.

UTRGV is committed to providing prompt and consistent information through these official channels, as appropriate and permitted based on the nature of the event. Follow-up information will continue to be posted on the UTRGV.edu/Alerts page, email and shared through social media, as available and necessary.

Emergency Preparedness Exercises

UTRGV's Director of Emergency Management & Continuity Planning develops emergency preparedness exercises and coordination activities to test emergency plans and capabilities. These preparedness exercises provide the university's emergency responders and Incident Management Team members the opportunity to learn their roles, responsibilities, and procedures before an actual emergency. All exercises are designed using the Homeland Security Exercise and Evaluation Program (HSEEP) methodology to ensure consistency with the National Incident Management System and Incident Command System. Emergency exercises are evaluated with after action reports, meetings, and identify discussion of lessons learned to explore new or improved means of coordination before, during, and after an emergency at any UTRGV campus.

Emergency preparedness exercises typically include participants from local, county and state, emergency management and emergency response agencies. Exercise reports and documentation are maintained internally with UTRGV's OEM along with UTRGV's Emergency Operations Plan and related response annexes. Documentation of each test includes, but is not limited to, the nature of the exercise, date, time, and whether it was announced or unannounced.

Emergency preparedness Full-Scale Exercises are conducted annually and announced to the campus community via university email, text message, and is published on the main UTRGV Facebook and X page. In conjunction with the exercise, it is the standard practice of UTRGV's Office of Emergency Management to inform the campus community of the emergency response and evacuation procedures. To avoid panic or confusion local news media and local, county and state, emergency management and emergency response agencies are advised of these exercises in advance of the full-scale exercise date and are advised of the start and finish time.

Emergency preparedness functional exercises, which include tabletop exercises or workshops, are only announced to exercise participants and not to the campus community as these do not interfere with day-to-day campus operations.

Timely Warnings

In the event that a Clery crime occurs on Clery Geography (On Campus, Public Property and Non-Campus Property), and if in the judgment of the University Police Department the crime constitutes a serious or on-going threat to the campus community, a Timely Warning will be drafted and issued by the University Police Department. The Timely Warning will then be published electronically via the UTRGV email Listserv to all current University students, faculty, and staff. The purpose of a Timely Warning is to provide individuals information about the incident that will: enable persons to protect themselves; heighten safety awareness; aid in the prevention of similar crimes; and seek information that will lead to an arrest and conviction of the perpetrator.

Whether an incident triggers the need for a Timely Warning is considered on a case-by-case basis. Factors that are considered include: the type of alleged crime (including whether the offense is a Clery reportable offense); the facts of the incident (including where and when the incident occurred); when the incident was reported; and the extent of information known by the University Police Department. For example, if an assault occurs between two students who have a disagreement, there may be no on-going threat to other UTRGV community members and a Timely Warning would not be necessary. In cases involving sexual assault, if the report of the assault is reported long after the incident occurred, there may not be the ability to distribute a “timely” warning notice to the community.

Every attempt will be made to distribute a Timely Warning soon after the incident is reported; however, the release of the Timely Warning is subject to the availability of facts concerning the incident.

UTRGV is not required to issue a Timely Warning for crimes reported to a pastoral or professional counselor. Timely Warning emails typically include:

1. Date and time or timeframe of the incident
2. A brief statement of the incident
3. Physical description of the suspect, if available
4. Other relevant and important information
5. Appropriate safety tips
6. UTRGV Police contact information

Timely Warnings shall not include the names of complainants or personally identifiable information.

Emergency Notifications v. Timely Warnings

If there is an immediate threat to the health or safety of students or employees occurring on campus, UTRGV will follow its emergency notification procedures. No Timely Warning based on the same circumstance will be issued. However, follow-up information will be disseminated to the community as needed.

Sex Offender Registry Information

The Texas Department of Public Safety (DPS) maintains the Sex Offender Registration Database for the State of Texas. All sex offenders in the State of Texas are required by Chapter 62 of the Texas Code of Criminal Procedure to register with the local law enforcement agency where they reside. This information is then placed in the [Texas DPS sex offender database](https://sor.dps.texas.gov/PublicSite//Search) (sor.dps.texas.gov/PublicSite//Search) which may be accessed by the public.

Sex offenders who are enrolled at UTRGV must notify the University Police Department every semester. The University Police department tracks all sex offenders currently attending and/or enrolled at the university.

Drug Free School and Communities Notice

General Information

UTRGV is a drug-free school and complies with the Drug Free Workplace Act of 1990. The Drug Free School and Communities Act of 1989 requires institutions of higher education to adopt and implement programs to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol. Information concerning these programs must be distributed to students annually. For information regarding these policies, please refer to the [Drug Free School and Communities Act](http://www.utrgv.edu/srr/_files/documents/srr-drug-free-school-and-communities-notice.pdf) (www.utrgv.edu/srr/_files/documents/srr-drug-free-school-and-communities-notice.pdf) provided by the Office Student Rights & Responsibilities.

UTRGV is committed to maintaining a safe and healthy environment for the campus community. Alcohol and other drugs should not interfere with the University's educational mission. The University of Texas Rio Grande Valley prohibits the unlawful possession, use, and sale of alcoholic beverages and illegal drugs on campus. All UTRGV students, faculty members, staff members, administrators, and visitors are subject to local, state, and federal laws regarding the unlawful possession, distribution, or use of alcohol or illegal drugs. University Police is responsible for the enforcement of state underage drinking laws and enforcement of Federal and State drug laws and will investigate violations of State and Federal drug laws to file charges and/or refer for administration disciplinary action.

Federal and state laws and The Rules and Regulations of the Board of Regents of The University of Texas System require UTRGV to develop policies and enforce sanctions related to the abuse of alcohol and other drugs. These policies and sanctions are only one aspect of the university's initiative to develop a campus community in which alcohol and drugs do not impede the educational mission of the institution.

UTRGV consistently enforces disciplinary sanctions for violations of standards of conduct related to alcohol and drug use through a broad spectrum of enforcement policies that are implemented institution-wide and allow for the careful consideration of mitigating or aggravating factors. Associated Risks of Substance Abuse are listed below and Criminal Penalties are detailed in Appendix B.

Alcohol

Effects of Occasional and Extended Use:

Liver disease, heart disease, pancreatitis, cirrhosis of the liver, hepatitis, Fetal Alcohol Syndrome, slowed reaction, high blood pressure, stroke, birth defects, cancer of the esophagus, mouth, throat, and larynx (voice box), breast cancer, colon cancer, rectal cancer, unconsciousness, memory loss, impotence, weight gain, premature aging, bad breath, infertility, heart attacks, stomach ulcers, and colitis.

Marijuana

Effects of Occasional and Extended Use:

Memory and learning difficulties, distorted perception; difficulty in thinking and problem solving; loss of coordination; increased heart rate, heart attack, burning and stinging of the mouth and throat, heavy cough, respiratory illnesses, cancer of the respiratory tract and lungs, decreased immune system functioning, depression, anxiety, personality disturbances, altered neurological development in infants, drug craving, irritability, sleeplessness, and increased aggression.

Cocaine & Crack Cocaine

Effects of Occasional and Extended Use:

Constricted peripheral blood vessels, dilated pupils, increased temperature, heart rate, and blood pressure, restlessness, irritability, anxiety, paranoia, depression, ulceration of the mucous membrane of the nose, cardiac arrest or seizures, and respiratory arrest.

Heroin, Opium, Morphine, Codeine and Demerol

Effects of Occasional and Extended Use:

Fatal overdose, spontaneous abortion, collapsed veins, infectious diseases including HIV/AIDS and hepatitis, infection of the heart lining and valves, abscesses, cellulitis, liver disease, pulmonary complications, pneumonia, cellular tissue death, malnutrition, low blood pressure, and seizures.

Lysergic Acid Diethylamide (LSD), Phencyclidine (PCP)

Effects of Occasional and Extended Use:

Dilated pupils, higher body temperature, loss of appetite, sleeplessness, dry mouth, tremors, blocked speech, psychosis, extreme image distortion, violent behavior, flashbacks, hallucinations, increased heart rate and blood pressure, flushing, sweating, dizziness, numbness, drowsiness, convulsions, coma, heart and lung failure, ruptured blood vessels in the brain, death, affects memory, perception, concentration and judgment, paranoia, fearlessness, anxiety, may affect hormones related to growth, nausea, blurred vision, vomiting, drooling, loss of balance, delusions, catatonia, depression, and weight loss.

MDMA (Ecstasy)

Effects of Occasional and Extended Use:

Confusion, depression, sleep problems, severe anxiety, paranoia, muscle tension, involuntary teeth clenching, nausea, blurred vision, faintness, chills or sweating, increases in heart rate and blood pressure, brain damage, drug craving, rapid eye movement, acne-like rash, liver damage, Parkinson's disease – stimulant (like amphetamine) and hallucinogenic (like LSD) effects.

Barbiturates and Tranquilizers

Effects of Occasional and Extended Use:

Shallow breathing, slurred speech, sluggishness, fatigue, disorientation, lack of coordination, dilated pupils, disinhibition, sleepiness, impairs memory, judgment and coordination, irritability, paranoid and suicidal ideation, depression of the respiratory center in the brain resulting in death, tremors, elevated blood pressure and pulse, sweating, seizures, emotional instability, vision problems, sexual dysfunction, chronic tiredness, menstrual irregularities, breathing disorders, hallucinations, vomiting, sleep, and eating disorders.

Gamma Hydroxy Butyrate (GHB)

Effects of Occasional and Extended Use:

Coma and seizures, nausea and difficulty breathing, insomnia, anxiety, tremors, sweating, and unconsciousness.

Rohypnol ("Roofies")

Effects of Occasional and Extended Use:

Amnesia, death, muscle reaction, seizures, dependence, blackouts, dizziness, disorientation, nausea, decreased blood pressure, visual disturbances, gastrointestinal disturbances, urinary retention, headache, muscle pain, extreme anxiety, tension, restlessness, confusion, irritability, numbness, tingling, loss of identity, hallucinations, delirium, convulsions, shock, and cardiovascular collapse.

Ketamine ("Special K")

Effects of Occasional and Extended Use:

Dream-like states and hallucinations, delirium, amnesia, impaired motor function, high blood pressure, depression, and potentially fatal respiratory problems.

Inhalants

Effects of Occasional and Extended Use:

Unconsciousness, heart failure and death, suffocation, hearing loss, peripheral neuropathies or limb spasms, central nervous system or brain damage, bone marrow damage, liver and kidney damage, blood oxygen depletion, and Kaposi's sarcoma.

Note: Distribution of controlled substances in or near schools and colleges can result in penalties twice the regular penalty for the same offense. Trafficking in drugs can result in forfeiture of property including motor vehicles, vessels, money, real property, and other personal property.

Note: Use of ANY controlled substance to aid in committing a crime of violence (including sexual assault) is a violation of federal law that could be prosecuted in addition to the underlying crime. Penalties may be as great as 20 years in prison with the penalties increased if the perpetrator has a prior conviction or if death or serious bodily injury results from the use of the controlled substance.

University Sanctions – Students

Alcohol

Unauthorized consumption, possession or distribution of alcohol is a violation of Handbook of Operating Procedures policy STU 02-100, Student Conduct and Discipline. Sanctions may include, but are not limited to, attendance at workshops, educational sanctions, disciplinary probation, and removal from the residence halls, including loss of privileges, suspension, dismissal, and other sanctions appropriate to the violation. The use of alcoholic beverages must comply 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 is strictly prohibited. UTRGV police officers enforce laws regulating the use of alcoholic beverages and underage drinking. Officers may issue court appearance citations or affect an arrest if required by law. In addition, student violators are referred to the Student Rights & Responsibilities Office and Housing and Residence Life as appropriate.

Drugs

Possession, use or distribution of marijuana or any narcotic, hallucinogenic or other drug in either the refined or crude form which is prohibited by law is a violation of STU 02-100 Student Conduct and Discipline. Sanctions may include, but are not limited to, attendance at workshops, educational sanctions, disciplinary probation, and removal from the residence halls, including loss of privileges, suspension, dismissal, and other sanctions that may apply upon return to campus as deemed appropriate to the violation.

University Sanctions –Employees

Supervisors will contact Human Resources Employee Relations Manager when an employee is observed performing behavior in violation of this policy or appears to be impaired (e.g., exhibits changes or problems with dexterity, coordination, memory, alertness, vision, hearing or speech).

Alcohol

Employees who are under the influence, possess, use or furnish alcohol to a minor violates University policy [ADM 04-109: Alcohol and Drug Free Workplace](http://www.utrgv.edu/hop/policies/adm-04-109.pdf) (www.utrgv.edu/hop/policies/adm-04-109.pdf) and may receive appropriate sanctions, up to and including termination or non-renewal of appointment. The use of alcoholic beverages must comply 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 is strictly prohibited. UTRGV police officers enforce laws regulating the use of alcoholic beverages and underage drinking.

Drugs

Possession or use of illegal drugs on University property or any other property where University business is being carried out is a violation of University policy. Unlawful manufacture, distribution, dispensing, possession, or use of any drug or controlled substance is a violation of University policy. Employees who violate these rules may be subject to sanctions up to and including termination or non-renewal of appointment.

At UTRGV's discretion, the employee may be referred to an employee assistance program and may be required to participate in and satisfactorily complete a chemical abuse rehabilitation program as a condition of continued employment. Employees may also be required to undergo drug or alcohol testing when a supervisor observes an employee exhibiting such appearance and behavior in violation of this policy. Drug or alcohol testing can be pursuant to drug and alcohol program requirements for specific positions.

For more information about the University's Alcohol Policy and the University's Drug Free Workplace Policy visit the [Office of Student Rights & Responsibilities webpage](http://www.utrgv.edu/srr) (www.utrgv.edu/srr).

Resources

Students

Information and services are available for students at:

Student Health

Edinburg: 956-665-2511

Brownsville: 956-882-3896

Substance Abuse Services are provided through the Counseling Center

Edinburg: 956-665-2574

Brownsville/Harlingen: 956-882-3897

Services offered include triage, intake, screening, and assessment for substance abuse, mental health, and co-occurring problems. Services also include individual and group counseling for issues related to abuse, addiction recovery, and recovery maintenance. These services include referrals for education and other support services within the University community and the community at large. All clinical services in substance abuse are provided by an experienced and licensed addiction therapist.

In addition, peer-to-peer education and prevention is provided by the Vaqueros Step Up program, which provides educational programs and activities such as

- Educational tabling at health info and other fairs
- Bystander Intervention Training for Emergency Situations
- Difficulty Conversation Training for Non-Emergency Interventions
- Sexual Assault Awareness Month
- Domestic Violence Awareness Month
- Spring Break Risk Reduction
- Halloween Risk Reduction

On Campus Support and Resources (available to students)

Office	Contact Information Edinburg	Brownsville/Harlingen
Counseling Center	956-665-2574	956-882-3897
Student Health	956-665-2511	956-882-3896
Collegiate Recovery Program	956-665-2674	956-882-3897
University Police Department	956-882-7777	956-882-7777

Employees

The UT Employee Assistance Program (UTEAP) is a service available to all employees of UTRGV. It provides confidential, professional assistance to help employees and members of their household resolve problems that affect their personal lives or job performance, including assistance with alcohol and other drug abuse concerns.

For more information, contact Human Resources Benefits Administration or visit [UTEAP](http://www.uth.edu/uteap) (www.uth.edu/uteap).

Community Resources

Office	Contact Information	Location
Palmer Drug Abuse Program	956-687-7714	115 N. 9 th Street, McAllen, TX 78501
Behavioral Health Solutions of South Texas (most commonly known as Rio Grande Valley Council)	956-787-7111	5510 N. Cage Blvd, Pharr, TX 78577
Tropical Texas Behavioral Health	956-289-7000 or 1-800-813-1233 1-877-289-7199 crisis line	1901 S. 24 th Avenue, Edinburg, TX 78539
Tropical Texas Behavioral Health	956-547-5400 1-800 813-1233 1-877-289-7199 crisis line	861 Old Alice Rd, Brownsville, TX 78520
Tropical Texas Behavioral Health	956-364-6500 1-800-813-1233 1-877-289-7199 crisis line	103 N Loop 499 Harlingen, TX 78550
Tropical Texas Behavioral Health	956-520-8800 1-800 813-1233 1-877-289-7199 crisis line	2215 W. Business 83 Weslaco, TX 78596
South Texas Behavioral Health	956-388-1300 1-888 977-1400	2102 W. Trenton Rd Edinburg, TX 78539
Valley AIDS Council	956-668-1155	300 S. 2 nd Street Suite 101 McAllen, TX 78501
Valley AIDS Council	956-541-2600	857 E. Washington, Suite G, Brownsville, TX 78520
Valley AIDS Council	956-428-2653	2306 Camelot Plaza Harlingen, TX 78550
Mujeres Unidas	956-630-4878 1-800-580-4879	511 N. Cynthia St, McAllen, TX 78501
Lower Rio Grande Valley Alcoholics Anonymous	Help Line 1-888-880-9718	Lower Rio Grande Valley Alcoholics Anonymous (www.sober.com/aa-meeting/district-27-lower-rio-grande-valley)
Narcotics Anonymous – Lower Rio Grande Valley	956-949-1900 Help Line 1-800-407-7195	Narcotics Anonymous – Lower Rio Grande Valley (www.drugstrategies.org)

Hotlines/Online Resources

Title	Contact Information	Website
SAMHSA's National Helpline	1-800-662-HELP (4357)	SAMHSA's National Helpline (www.samhsa.gov/find-help/national-helpline)
National Suicide & Crisis Lifeline	Dial 988 1-800-273-TALK (8255)	National Suicide & Crisis Lifeline (www.988lifeline.org)
Behavioral Health Treatment Services Locator	Online Resource	Behavioral Health Treatment Services Locator (www.findtreatment.samhsa.gov)
RAINN Hotline	800-656-HOPE (4673)	RAINN Hotline (www.rainn.org)
Mujeres Unidas Hotline	1-800-580-4879	Mujeres Unidas Hotline (www.mujeresunidas.org)
Not Alone – Together Against Sexual Assault	Online Resource	Not Alone – Together Against Sexual Assault (www.justice.gov/ovw/protecting-students-sexual-assault)
National Sexual Assault Hotline	1-800-656-4673	National Sexual Assault Hotline (www.rainn.org/about-national-sexual-assault-telephone-hotline)
Love is Respect	1-866-331-9474	Love is Respect (www.loveisrespect.org)
National Domestic Violence Hotline	1-800-799-SAFE (7233)	National Domestic Violence Hotline (www.thehotline.org)

Fire Safety Report

The Higher Education Opportunity Act (HEOA) was signed into law in August 2008 and contains several crucial campus safety components. One of the main provisions of the HEOA is the Campus Fire Safety Right-to-Know Act, which calls for all Title IV eligible institutions that participate in Title IV programs and maintain on-campus student housing facilities to publish an annual fire safety report that outlines fire safety systems, policies, practices, and statistics.

The Fire Safety information contained in this section is available by visiting the Environmental Health, Safety & Risk Management (EHSRM) office:

Edinburg: 701 N 6th Ave, Edinburg, TX 78541, Phone: 956-665-3690

Brownsville: One West University Blvd BASFC 1.225 (956) 882-5903

Procedures Students and Employees Should Follow in Case of a Fire

In the event of a fire, the University expects that all campus community members will evacuate by the nearest exit, closing doors and activating the fire alarm system (if one is present) as they leave. Once safely outside a building, it is appropriate to contact 911 and the University Police Department. Students and/or staff are informed where to relocate to by staff if circumstance warrants at the time of the alarm. In the event fire alarms sound, University policy is that all occupants must evacuate from the building, closing doors as they leave. No training is provided to students or employees in firefighting or suppression activity as this is inherently dangerous and each community member's only duty is to exit safely and quickly, shutting doors along the exit path as they go to contain the spread of flames and smoke, and to activate the alarm as they exit. At no time should the closing of doors or the activation of the alarm delay the exit from the building.

Fire Safety Education and Training Programs

Fire safety education programs for all students living in on-campus student housing and all employees that have any association with on-campus student housing are held at the beginning of each Fall semester. These programs are designed to: familiarize everyone with the fire safety system in each housing facility, train everyone on the procedures to be followed in case there is a fire and distribute information on the University's fire safety policies. During these programs, trainers emphasize that participating in fire drills is mandatory. Fire safety education and training programs are taught by UTRGV Fire Safety Program personnel.

Procedures for Student Housing Evacuation in Case of a Fire

The following outlines the specific instructions in the event you discover a fire:

- If a fire is noticed, make the decision to extinguish the fire or immediately exit the building.
- Do not try to extinguish the fire unless you have access to an inspected fire extinguisher, and you have been properly trained in the use of the fire extinguisher.
- Do not fight the fire if it is already beginning to spread beyond the location where it started, if you can't fight the fire with your back to an exit, or if the fire can block your only exit.
- If you are successful in extinguishing the fire, immediately notify the University Police Department.
- If you choose to exit the building, on the way out of the building, pull a fire alarm system pull station. It may be necessary to raise the pull station cover to pull the alarm. **Remember that an alarm may also sound when the pull station cover is raised, however, the building fire alarm is not sounded in this case, and it is necessary to activate the alarm.** Some common locations of pull stations are at stairwell doors and exits. By activating the alarm, occupants of the building are notified of a fire hazard and should evacuate the building. In addition, the University Police, EHSRM, and local Fire Departments are notified immediately if the alarm is sounded.
- Ensure that you make yourself available to the appropriate authorities to provide information regarding the location and source of the fire.

Have an Exit Strategy

UTRGV continued the Have an Exit Strategy program which promotes self-awareness and self-responsibility by the students, staff and visitors at UTRGV. In addition to public safety, adopting and utilizing this program assists UTRGV in meeting the requirements for the Federal Legislation on University Fire Safety as well as the Texas Legislation of Risk Management for Campus Organizations.

Evacuation Assistants

All evacuation assistants are mandated to attend Evacuation Assistant training prior to assuming the respective responsibilities. Training includes Fire and Life safety, evacuation procedures, evacuation procedures for the disabled, and fire extinguisher training.

Employees

All employees potentially involved in responding to an emergency (EHSRM, Facilities, the University Police Department, Residence Hall employees) or involved with activities that involve the use of ignition sources are mandated to attend Fire and Life Safety Training which include evacuation assistant training and fire extinguisher training. In addition, fire safety training is included in other mandated courses such as laboratory safety.

For those employees that are not directly related to emergency response, a variety of fire and life safety training programs are available to all UTRGV on a voluntary basis. Routine fire safety training is provided on a monthly basis and all UTRGV faculty, staff, and students are invited to attend. The training includes fire and life safety, emergency planning, emergency evacuation, and portable fire extinguisher.

Students

EHSRM and Residential Life work together each year to provide fire and life safety education to students living on campus. Residential Advisors attend fire and life safety training. Student residents receive fire safety training during the beginning of the fall semester or orientation sessions. In addition, students are reminded about fire evacuation procedures during hall meetings, floor meetings, after problems occur during fire drills, and accidental activation of the alarm.

At the current time, all facilities are in compliance with National Fire Protection Association (NFPA) Standards.

Reported Fires

The following table is a compilation of fires that occurred at each on-campus housing facility during the previous three completed calendar years (2023, 2024, and 2025). It includes statistics outlining the number of fires, the cause of each fire, the number of injuries and deaths related to the fire and the value of property damage related to the fire.

2025 Fire Statistics

Residential Facilities (Name and Address)	Total Number of Fires in Each Building	Fire Number	Category and Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire (in USD)
Heritage Hall 410 N. Sugar Rd. Edinburg Campus	0	n/a	n/a	n/a	n/a	n/a
Troxell Hall 424 N. Sugar Rd. Edinburg Campus	0	n/a	n/a	n/a	n/a	n/a
Unity Hall (North & South) 509 N. Sugar Rd. Edinburg Campus	1	1 (North)	Unintentional fire/ paper caught fire from unattended candle	0	0	\$100 – \$999
Village Apt. (A-F) 603 N. Sugar Rd. Edinburg Campus	0	n/a	n/a	n/a	n/a	n/a
Casa Bella (1-5) 2651 FJRM Ave. Brownsville Campus	0	n/a	n/a	n/a	n/a	n/a

2024 Fire Statistics

Residential Facilities (Name and Address)	Total Number of Fires in Each Building	Fire Number	Category and Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire (in USD)
Heritage Hall 410 N. Sugar Rd. Edinburg Campus	0	n/a	n/a	n/a	n/a	n/a
Troxell Hall 424 N. Sugar Rd. Edinburg Campus	0	n/a	n/a	n/a	n/a	n/a
Unity Hall (North & South) 509 N. Sugar Rd. Edinburg Campus	0	n/a	n/a	n/a	n/a	n/a
Village Apt. (A-F) 603 N. Sugar Rd. Edinburg Campus	0	n/a	n/a	n/a	n/a	n/a
Casa Bella (1-5) 2651 FJRM Ave. Brownsville Campus	0	n/a	n/a	n/a	n/a	n/a

2023 Fire Statistics

Residential Facilities (Name and Address)	Total Number of Fires in Each Building	Fire Number	Category and Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire (in USD)
Heritage Hall 410 N. Sugar Rd. Edinburg Campus	0	n/a	n/a	n/a	n/a	n/a
Troxell Hall 424 N. Sugar Rd. Edinburg Campus	0	n/a	n/a	n/a	n/a	n/a
Unity Hall (North & South) 509 N. Sugar Rd. Edinburg Campus	0	n/a	n/a	n/a	n/a	n/a
Village Apt. (A-F) 603 N. Sugar Rd. Edinburg Campus	0	n/a	n/a	n/a	n/a	n/a
Casa Bella (1-5) 2651 FJRM Ave. Brownsville Campus	1	1 (Bldg. 4)	Unintentional/ stovetop fire	0	0	\$10,000 - \$24,999

The Daily Fire Log is available for public inspection and a paper copy upon request at the University Police Departments:

Edinburg: 501 N Sugar Road, Edinburg TX 78539

Brownsville: 2671 FJRM Avenue, Brownsville TX 78520

Harlingen: 2102 Treasure Hills Boulevard, Harlingen TX 78550

Laredo: 1937 East Bustamante Street

UTRGV Residence Halls, Fire Safety Systems, and Annual Number of Fire Drills

Casa Bella, Heritage Hall, Troxel Hall, and Unity Hall are fully equipped with automatic wet sprinkler systems, an automatic fire alarm system, audio visual devices, heat and/or smoke detectors, etc., in all required areas. Hard-wired smoke detectors are included in each dorm room. For redundancy, the fire alarm system in each one of the facilities is directly wired to both the University Police Headquarters and a central monitoring station.

All systems are in compliance with the current regulatory requirements. Each hall is equipped with fire extinguishers in common areas. Fire extinguishers are inspected monthly, annually and provided for 6-year maintenance and a 12-year hydrostatic testing or recharging when needed.

The Village Apartments are equipped with a fire extinguisher in the kitchen area and outside each apartment, and hard-wired smoke detectors near the sleeping areas. A general fire alarm system is activated by a pull station located outside each residential unit. This system is inspected annually. Fire extinguishers are inspected monthly, annually and provided for 6-year maintenance and 12-year hydrostatic testing or recharging when needed. Each smoke detector is cleaned, inspected and tested for operation annually. All residents are requested to notify the Resident Assistant if there are problems with the smoke detectors or if the fire extinguisher has been discharged.

Student Housing Fire Safety Systems Chart:

Residential Facilities	Fire Alarm Monitoring Done On Site	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Number of fire drills held during 2025 calendar year
Heritage Hall 410 N. Sugar Rd. Edinburg Campus	Onsite	Yes	Yes	Yes	2
Troxell Hall 424 N. Sugar Rd. Edinburg Campus	Onsite	Yes	Yes	Yes	2
Unity Hall 509 N. Sugar Rd. Edinburg Campus	Onsite	Yes	Yes	Yes	2
Village Apartments (Buildings A-F) 603 N. Sugar Rd. Edinburg Campus	3 rd party	No sprinkler system	Yes	Yes	2
Casa Bella (Buildings 1-5) 2651 FJRM Ave Brownsville Campus	3 rd party	X Yes	Yes	Yes	2

Fire Drills

All resident assistants and camp counselors are trained to be evacuation assistants. Fire Drills are conducted at the beginning of the fall and spring semesters. When the fire alarm is activated, the evacuation assistants are trained to guide all residents to the nearest exit and assemble 150 feet away from the building upwind of any fire and away from any emergency crews to pre-determined assembly areas. Assembly areas are subject to change, however, depending on the circumstances related to the fire.

All residents are mandated to immediately evacuate the building by following the fire drill procedures outlined in the UTRGV Emergency Response Plan and the UTRGV Resident Handbook. UTRGV conducts a minimum of two fire drills in each occupied residence hall per academic year. A drill is conducted in the fall and spring semesters. Additional fire drills are conducted to address the camps that are held on the UTRGV campus in the summer session to ensure that new employees and children attending camps are familiar with the fire safety policies at the University.

All fire drills and false alarms resulting in the evacuation of the dorms or apartments are evaluated by EHSRM in respect to the following criteria:

- Was the total time to exit less than five minutes?
- Did the police arrive within two minutes?
- Did all the people exit the building in an orderly fashion?
- Did all people assemble 150 feet from the building upwind of the fire?
- Were doors and exit doors properly shut?
- Did the evacuation assistants perform their respective duties?
- Did all alarms and emergency lights work properly?
- Were all people accounted for?

An evaluation form is completed, and a copy is provided to all stakeholders in the process including EHSRM (fire safety management), University Police (response), and the Director of Housing and Residence Life (evacuation). If any aspect of the process is not adhered to (e.g., total time to exit), the drill is conducted again later to ensure that all respective systems are in place.

Tobacco-Free Workplace Policy

The University of Texas Rio Grande Valley (UTRGV) has a responsibility for and is committed to promoting the health, well-being, and safety of UTRGV students, faculty, staff, and visitors. Tobacco prevention programs are most effective when supplemented by strong tobacco-free policies and when they are incorporated into a broader community effort to reduce tobacco use. Considering this information, and to ensure compliance with external cancer research funding requirements, it is the UTRGV's intent to prohibit tobacco products and smoking devices on UTRGV property.

For more information, visit the [ADM 04-108 Tobacco Free Workplace Policy webpage](http://www.utrgv.edu/hop/policies/adm-04-108.pdf).
(www.utrgv.edu/hop/policies/adm-04-108.pdf). for more information.

Open Flames

The use of candles (including birthday candles), incense, oil lamps, or any other item using an open flame is strictly prohibited in the residence halls.

Portable Space Heaters

Since great care must be taken to utilize portable heaters properly, their use is discouraged on campus. All portable space heaters are required to be approved by EHSRM prior to use. For the safety of all residents, use and/or possession of these appliances in the residence halls are prohibited.

Portable Appliances

The following portable appliances are prohibited from use in all residence hall rooms:

- Open coil heating or cooking devices: This includes but not limited to, induction cooking tops, air fryers, or Foreman Grills
- Small BBQ pits/smokers
- Air conditioners
- Electric blankets
- Sun lamps, Halogen, spider & oil lamps, Coffee pots without an automatic shut-off
- Refrigerators that are not UL approved with a three-pronged plug with a maximum capacity of 3.1 feet
- Blenders
- Rice cookers
- Crock pots
- Electric skillet/griddles/wok
- Any other appliances with an open heating element, moving sharp edges, or other moving/electric parts
- Microwave ovens are prohibited in Heritage Hall and Troxel Hall.

The following are permitted appliances that can be used in all residence hall rooms:

- Heat controlled hot pots
- Clothing irons, curling irons, and hair straighteners with automatic shutoff
- Auto shut-off coffee makers without hot plates or single serve brewer
- Refrigerators no larger than 3.1 cubic feet (Heritage and Troxel Hall residents may bring their own refrigerator, Unity Hall residents are provided with a unit)

Furnishings

Residents are permitted to bring personal items such as rugs, throw pillows, curtains, and bedspreads. However, all tapestry, window curtains, and rugs must have a fire retardant/flame retardant label (NFPA 701, ASTM E-84) affixed to the fabric. Residents are not permitted to drape or cover lights or ceilings in any manner. Paper or other flammable decorations (posters, collages, etc.) should be used in moderation.

Decorations

Decorations including, but not limited to, boxes, cardboard, mazes, hay, bamboo, cotton batting, straw, vines, and pallets are prohibited in the residence halls. The use of live Christmas trees is also prohibited in the residence halls. Any electrical decorations, which may be used on Christmas trees must be UL listed and approved by EHSRM. Halogen lamps and string lights are not allowed. Routine inspections of Christmas decorations are conducted by EHSRM. Prior to the holiday season, a letter reinforcing the policies is issued by the Office of Housing and Residence Life.

Extension Cords

The use of extension cords is discouraged in all residence halls, however, if an extension cord must be used; there are several guidelines that must be followed:

- All extension cords must have a surge protector and be UL listed and approved.
- All extension cords must only be used within the appropriate rating.
- If a cord on the appliance being used has a three-pronged adapter, the extension cord must also be three pronged.
- Splicing together extension cords, and plugging together multiple extension cords are not allowed.
- Extension cords may never be run under rugs or carpet or through walkways or windows.
- Extension cords shall only be used for temporary functions, such as special events or ceremonies.
- Extension cords shall not be used for more than 4 hours at a time.

Future Fire Safety Initiatives

The University continually strives to improve campus fire safety. All new building construction and renovations are completed in accordance with applicable fire codes. All buildings that do not have a fire sprinkler system and undergo significant renovation shall have a fire sprinkler system installed in accordance with NFPA rules and regulations. Currently, no specific plans are in place for future fire safety initiatives.

Reporting a Fire for Inclusion in the Fire Statistics

As per federal law, UTRGV is required to annually disclose statistical data on all fires that occur in On-Campus Student Housing facilities. Therefore, if you encounter a live fire in one of these facilities, you should immediately evacuate the building, dial 911 and provide pertinent information to the appropriate authorities.

Listed below are the non-emergency numbers to call to report evidence of a fires that have already been extinguished in On-Campus Student Housing. If you are not sure whether University Police is aware of such a fire, use one of these numbers to report it so the University may investigate and document the incident for disclosure in the University’s annual fire statistics.

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Office	Contact Information
University Police Department	Edinburg 956-882-7777 Brownsville 956-882-7777
Department of Environmental Health and Safety (Monday through Friday from 8:00 a.m. to 5:00 p.m.)	Edinburg 956-665-3690 Brownsville 956-882-5930

Crime Statistics

The tables below contain statistics for Clery reportable crimes on-campus, on-campus student housing (residential), non- campus, and public property locations. This report contains the statistics for the previous three years –2023, 2024, and 2025. Clery reportable statistics are provided in separate tables for the UTRGV main campus (Edinburg) and each of the separate campuses as that term is defined by Clery.

The University’s crime statistics include all reports of alleged Clery Act crimes that meet the definitions and geographic criteria established by the Clery Act. All such reports made to Campus Security Authorities (CSAs) or local law enforcement agencies must be included in the statistics regardless of whether the report was investigated, adjudicated, or substantiated.

Only Clery Act crimes reported to have occurred on or within the University’s Clery Geography that have been thoroughly investigated by sworn or commissioned law enforcement and determined to be false or baseless may be withheld from the Clery crime statistics. In such cases, the report is not included in the applicable Clery crime category. Instead, it is included in the total number of “Unfounded” crimes.

Clery Reportable Geography Definitions

On-Campus Property is defined as 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 identified in the first part of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor). In our tables below, On-Campus includes all crimes reported to have occurred on campus even the same crimes that are reported for the On-Campus Student Housing category.

On-Campus Student Housing Facilities is defined as any student housing facility that is owned, or controlled by the institution, or is located on property that is owned or controlled by the institution and is within the reasonably contiguous geographic area that makes up the campus. In our tables below, the crimes reported in the On-Campus Student Housing category are also included in the On-Campus category. This category is provided as a “sub-set” of the On-Campus total to provide the community with an understanding of the On-Campus crimes that were reported for specific Student Housing locations on campus. UTRGV only has On-Campus Student Housing Facilities in the Brownsville and Edinburg campuses, which are reflected in the tables below.

Public Property is defined as all public property, including thoroughfares, streets, sidewalks, and off-campus parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

Non-campus Buildings or Property are defined as 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 the 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.

Refer to Appendix A for Clery Reportable Crime Definitions.

Main Campus - Edinburg, TX 78539

PRIMARY CRIMES	Year	On- Campus	Non-Campus	Public Property	Total	On-Campus Student Housing Facilities*
Murder/Non Negligent Manslaughter	2025	0	0	0	0	0
	2024	0	0	0	0	0
	2023	0	0	0	0	0
Manslaughter by Negligence	2025	0	0	0	0	0
	2024	0	0	0	0	0
	2023	0	0	0	0	0
Rape	2025	2	0	0	2	2
	2024	0	0	0	0	0
	2023	4	0	0	4	2
Fondling	2025	2	0	0	2	1
	2024	1	0	0	1	0
	2023	3	0	0	3	0
Incest	2025	0	0	0	0	0
	2024	0	0	0	0	0
	2023	0	0	0	0	0
Statutory Rape	2025	0	0	0	0	0
	2024	0	0	0	0	0
	2023	0	0	0	0	0
Robbery	2025	1	0	0	1	1
	2024	0	0	0	0	0
	2023	0	0	0	0	0
Aggravated Assault	2025	0	0	0	0	0
	2024	0	0	1	1	0
	2023	0	0	0	0	0
Burglary	2025	1	0	0	1	1
	2024	0	0	0	0	0
	2023	1	1	0	2	1
Motor Vehicle Theft	2025	6	0	0	6	1
	2024	1	0	0	1	0
	2023	2	0	0	2	0
Arson	2025	0	0	0	0	0
	2024	0	0	0	0	0
	2023	0	0	0	0	0

ARRESTS AND REFERRALS	Year	On- Campus	Non-Campus	Public Property	Total	On-Campus Student Housing Facilities*
Liquor Law Violation Arrests	2025	1	0	0	1	1
	2024	1	0	0	1	0
	2023	0	0	0	0	0
Drug Law Violation Arrests	2025	3	1	0	4	1
	2024	1	0	2	3	0
	2023	5	0	5	10	4
Weapons Law Violation Arrests	2025	0	0	0	0	0
	2024	0	0	0	0	0
	2023	0	0	1	1	0
Liquor Law Violation Referrals for Disciplinary Action	2025	2	0	0	2	2
	2024	0	0	0	0	0
	2023	3	0	0	3	3

ARRESTS AND REFERRALS	Year	On-Campus	Non-Campus	Public Property	Total	On-Campus Student Housing Facilities*
Drug Law Violation Referrals for Disciplinary Action	2025	1	0	0	1	1
	2024	0	0	0	0	0
	2023	5	0	0	5	5
Weapons Law Violation Referrals for Disciplinary Action	2025	0	0	0	0	0
	2024	0	0	0	0	0
	2023	0	0	0	0	0

VAWA OFFENSES	Year	On-Campus	Non-Campus	Public Property	Total	On-Campus Student Housing Facilities*
Domestic Violence	2025	0	0	0	0	0
	2024	0	0	0	0	0
	2023	0	0	0	0	0
Dating Violence	2025	2	0	0	2	2
	2024	2	0	0	2	1
	2023	3	0	0	3	1
Stalking***	2025	13	0	0	13	2
	2024	13	0	0	13	1
	2023	7	0	0	7	0

HAZING	Year	On-Campus	Non-Campus	Public Property	Total	On-Campus Student Housing Facilities*
Hazing**	2025	0	0	0	0	0
	2024	N/A	N/A	N/A	N/A	N/A
	2023	N/A	N/A	N/A	N/A	N/A

*On-Campus Student Housing Facility crime statistics are a subset of the On-Campus category, i.e., they are counted in both categories.

** In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "N/A" will be used in place of statistics for any prior years referenced in this report.

***Stalking On-Campus statistics for 2023 and 2024 were corrected to remove unfounded crimes that were inadvertently included.

Hate Crime Reporting:

2025: The total number of hate crimes for this campus is 0.

2024: One (1) On-campus Intimidation incident characterized by National Origin.

2023: The total number of hate crimes for this campus is 0.

Unfounded Crimes:

If a crime is reported as occurring On-Campus, in On-Campus Student Housing Facilities, in or on non-campus buildings or property, or on Public Property, and the reported crime is investigated by sworn or commissioned law enforcement authorities and found to be false or baseless, the crime is considered to be "unfounded." Institutions must report the total number of: criminal offenses; hate crimes; and domestic violence, dating violence, or stalking incidents that have been unfounded.

2025: The total number of unfounded crimes for this campus is 0.

2024: The total number of unfounded crimes for this campus is 2.

2023: The total number of unfounded crimes for this campus is 3.

Separate Campus – Brownsville, TX 78520

PRIMARY CRIMES	Year	On-Campus	Public Property	Total	On-Campus Student Housing Facilities*
Murder/Non Negligent Manslaughter	2025	0	0	0	0
	2024	0	0	0	0
	2023	0	0	0	0
Manslaughter by Negligence	2025	0	0	0	0
	2024	0	0	0	0
	2023	0	0	0	0
Rape	2025	1	0	1	1
	2024	0	0	0	0
	2023	0	0	0	0
Fondling	2025	0	0	0	0
	2024	0	0	0	0
	2023	0	0	0	0
Incest	2025	0	0	0	0
	2024	0	0	0	0
	2023	0	0	0	0
Statutory Rape	2025	0	0	0	0
	2024	0	0	0	0
	2023	0	0	0	0
Robbery	2025	0	0	0	0
	2024	0	0	0	0
	2023	0	0	0	0
Aggravated Assault	2025	0	0	0	0
	2024	0	0	0	0
	2023	0	0	0	0
Burglary	2025	1	0	1	0
	2024	1	0	1	0
	2023	0	0	0	0
Motor Vehicle Theft	2025	0	0	0	0
	2024	0	0	0	0
	2023	0	0	0	0
Arson	2025	0	0	0	0
	2024	0	0	0	0
	2023	0	0	0	0

ARRESTS AND REFERRALS	Year	On-Campus	Public Property	Total	On-Campus Student Housing Facilities*
Liquor Law Violation Arrests	2025	0	0	0	0
	2024	0	0	0	0
	2023	0	0	0	0
Drug Law Violation Arrests	2025	0	0	0	0
	2024	2	1	3	0
	2023	1	1	2	0

ARRESTS AND REFERRALS	Year	On-Campus	Public Property	Total	On-Campus Student Housing Facilities*
Weapons Law Violation Arrests	2025	0	0	0	0
	2024	0	0	0	0
	2023	0	0	0	0
Liquor Law Violation Referrals for Disciplinary Action	2025	0	0	0	0
	2024	0	0	0	0
	2023	0	0	0	0
Drug Law Violation Referrals for Disciplinary Action	2025	0	0	0	0
	2024	0	0	0	0
	2023	0	0	0	0
Weapons Law Violation Referrals for Disciplinary Action	2025	0	0	0	0
	2024	0	0	0	0
	2023	0	0	0	0

VAWA OFFENSES	Year	On-Campus	Public Property	Total	On-Campus Student Housing Facilities*
Domestic Violence	2025	0	0	0	0
	2024	0	0	0	0
	2023	0	0	0	0
Dating Violence	2025	2	0	2	1
	2024	0	0	0	0
	2023	0	0	0	0
Stalking***	2025	3	0	3	0
	2024	2	0	2	1
	2023	6	0	6	1

HAZING	Year	On-Campus	Public Property	Total	On-Campus Student Housing Facilities*
Hazing*	2025	0	0	0	0
	2024	N/A	N/A	N/A	N/A
	2023	N/A	N/A	N/A	N/A

*On-Campus Student Housing Facility crime statistics are a subset of the On-Campus category, i.e., they are counted in both categories.

** In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "N/A" will be used in place of statistics for any prior years referenced in this report.

***Stalking On-Campus statistics for 2024 was corrected to remove an unfounded crime that was inadvertently included.

This campus does not have any non-campus geography to report.

Hate Crime Reporting:

2025: The total number of hate crimes for this campus is 0.

2024: The total number of hate crimes for this campus is 0

2023: The total number of hate crimes for this campus is 0.

Unfounded Crimes:

If a crime is reported as occurring On-Campus, in On-Campus Student Housing Facilities, in or on non-campus buildings or property, or on Public Property, and the reported crime is investigated by sworn or commissioned law enforcement authorities and found to be false or baseless, the crime is considered to be "unfounded." Institutions must report the total number of: criminal offenses; hate crimes; and domestic violence, dating violence, or stalking incidents that have been unfounded.

2025: The total number of unfounded crimes for this campus is 0.

2024: The total number of unfounded crimes for this campus is 1.

2023: The total number of unfounded crimes for this campus is 0.

Separate Campus - Clinical Education Building - Harlingen, TX 78550

PRIMARY CRIMES	Year	On-Campus	Public Property	Total
Murder/Non Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Manslaughter by Negligence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Fondling	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Incest	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Statutory Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Robbery	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Aggravated Assault	2025	0	0	0
	2024	2	0	2
	2023	0	0	0
Burglary	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Motor Vehicle Theft	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arson	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

ARRESTS AND REFERRALS	Year	On-Campus	Public Property	Total
Liquor Law Violation Arrests	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Drug Law Violation Arrests	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

ARRESTS AND REFERRALS	Year	On-Campus	Public Property	Total
Weapons Law Violation Arrests	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Liquor Law Violation Referrals for Disciplinary Action	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Drug Law Violation Referrals for Disciplinary Action	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Weapons Law Violation Referrals for Disciplinary Action	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

VAWA OFFENSES	Year	On-Campus	Public Property	Total
Domestic Violence	2025	1	0	1
	2024	1	0	1
	2023	0	0	0
Dating Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Stalking **	2025	1	0	1
	2024	0	0	0
	2023	0	0	0

HAZING	Year	On-Campus	Public Property	Total
Hazing*	2025	0	0	0
	2024	N/A	N/A	N/A
	2023	N/A	N/A	N/A

* In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "N/A" will be used in place of statistics for any prior years referenced in this report.

**Stalking On-Campus statistics for 2024 was corrected to remove an unfounded crime that was inadvertently included.

This campus does not have any Non-Campus property nor On Campus Student Housing Facilities.

Hate Crime Reporting:

2025: The total number of hate crimes for this campus is 0.

2024: The total number of hate crimes for this campus is 0

2023: The total number of hate crimes for this campus is 0.

Unfounded Crimes:

If a crime is reported as occurring On-Campus, in On-Campus Student Housing Facilities, in or on non-Campus buildings or property, or on Public Property, and the reported crime is investigated by sworn or commissioned law enforcement authorities and found to be false or baseless, the crime is considered to be "unfounded."

Institutions must report the total number of criminal offenses; hate crimes; and domestic violence, dating violence, or stalking incidents that have been unfounded.

2025: The total number of unfounded crimes for this campus is 0.

2024: The total number of unfounded crimes for this campus is 1.

2023: The total number of unfounded crimes for this campus is 0.

Separate Campus - Coastal Studies Lab, South Padre Island, TX 78597

PRIMARY CRIMES	Year	On-Campus	Public Property	Total
Murder/Non Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Manslaughter by Negligence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Fondling	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Incest	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Statutory Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Robbery	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Aggravated Assault	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Burglary	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Motor Vehicle Theft	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arson	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

ARRESTS AND REFERRALS	Year	On-Campus	Public Property	Total
Liquor Law Violation Arrests	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Drug Law Violation Arrests	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

ARRESTS AND REFERRALS	Year	On-Campus	Public Property	Total
Weapons Law Violation Arrests	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Liquor Law Violation Referrals for Disciplinary Action	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Drug Law Violation Referrals for Disciplinary Action	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Weapons Law Violation Referrals for Disciplinary Action	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

VAWA OFFENSES	Year	On-Campus	Public Property	Total
Domestic Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Dating Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Stalking	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

HAZING	Year	On-Campus	Public Property	Total
Hazing*	2025	0	0	0
	2024	N/A	N/A	N/A
	2023	N/A	N/A	N/A

* In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "N/A" will be used in place of statistics for any prior years referenced in this report.

This campus does not have any Non-Campus property nor On Campus Student Housing Facilities.

Hate Crime Reporting:

2025: The total number of hate crimes for this campus is 0.

2024: The total number of hate crimes for this campus is 0

2023: The total number of hate crimes for this campus is 0.

Unfounded Crimes:

If a crime is reported as occurring On-Campus, in On-Campus Student Housing Facilities, in or on non-Campus buildings or property, or on Public Property, and the reported crime is investigated by sworn or commissioned law enforcement authorities and found to be false or baseless, the crime is considered to be "unfounded."

Institutions must report the total number of criminal offenses; hate crimes; and domestic violence, dating violence, or stalking incidents that have been unfounded.

2025: The total number of unfounded crimes for this campus is 0.

2024: The total number of unfounded crimes for this campus is 0.

2023: The total number of unfounded crimes for this campus is 0.

Separate Campus - Starr County Upper-Level Center, Rio Grande City, TX 78582

PRIMARY CRIMES	Year	On-Campus	Public Property	Total
Murder/Non Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Manslaughter by Negligence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Fondling	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Incest	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Statutory Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Robbery	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Aggravated Assault	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Burglary	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Motor Vehicle Theft	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arson	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

ARRESTS AND REFERRALS	Year	On-Campus	Public Property	Total
Liquor Law Violation Arrests	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Drug Law Violation Arrests	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

ARRESTS AND REFERRALS	Year	On-Campus	Public Property	Total
Weapons Law Violation Arrests	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Liquor Law Violation Referrals for Disciplinary Action	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Drug Law Violation Referrals for Disciplinary Action	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Weapons Law Violation Referrals for Disciplinary Action	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

VAWA OFFENSES	Year	On-Campus	Public Property	Total
Domestic Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Dating Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Stalking	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

HAZING	Year	On-Campus	Public Property	Total
Hazing*	2025	0	0	0
	2024	N/A	N/A	N/A
	2023	N/A	N/A	N/A

* In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "N/A" will be used in place of statistics for any prior years referenced in this report.

This campus does not have any Non-Campus property nor On Campus Student Housing Facilities.

Hate Crime Reporting:

2025: The total number of hate crimes for this campus is 0.

2024: The total number of hate crimes for this campus is 0

2023: The total number of hate crimes for this campus is 0.

Unfounded Crimes:

If a crime is reported as occurring On-Campus, in On-Campus Student Housing Facilities, in or on non-Campus buildings or property, or on Public Property, and the reported crime is investigated by sworn or commissioned law enforcement authorities and found to be false or baseless, the crime is considered to be "unfounded."

Institutions must report the total number of criminal offenses; hate crimes; and domestic violence, dating violence, or stalking incidents that have been unfounded.

2025: The total number of unfounded crimes for this campus is 0.

2024: The total number of unfounded crimes for this campus is 0.

2023: The total number of unfounded crimes for this campus is 0.

Separate Campus - Visual Arts Building, Edinburg, TX 78539

PRIMARY CRIMES	Year	On-Campus	Public Property	Total
Murder/Non Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Manslaughter by Negligence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Fondling	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Incest	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Statutory Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Robbery	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Aggravated Assault	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Burglary	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Motor Vehicle Theft	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arson	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

ARRESTS AND REFERRALS	Year	On-Campus	Public Property	Total
Liquor Law Violation Arrests	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Drug Law Violation Arrests	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

ARRESTS AND REFERRALS	Year	On-Campus	Public Property	Total
Weapons Law Violation Arrests	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Liquor Law Violation Referrals for Disciplinary Action	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Drug Law Violation Referrals for Disciplinary Action	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Weapons Law Violation Referrals for Disciplinary Action	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

VAWA OFFENSES	Year	On-Campus	Public Property	Total
Domestic Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Dating Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Stalking	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

HAZING	Year	On-Campus	Public Property	Total
Hazing*	2025	0	0	0
	2024	N/A	N/A	N/A
	2023	N/A	N/A	N/A

* In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "N/A" will be used in place of statistics for any prior years referenced in this report.

This campus does not have any Non-Campus property nor On Campus Student Housing Facilities.

Hate Crime Reporting:

2025: The total number of hate crimes for this campus is 0.

2024: The total number of hate crimes for this campus is 0

2023: The total number of hate crimes for this campus is 0.

Unfounded Crimes:

If a crime is reported as occurring On-Campus, in On-Campus Student Housing Facilities, in or on non-Campus buildings or property, or on Public Property, and the reported crime is investigated by sworn or commissioned law enforcement authorities and found to be false or baseless, the crime is considered to be "unfounded."

Institutions must report the total number of criminal offenses; hate crimes; and domestic violence, dating violence, or stalking incidents that have been unfounded.

2025: The total number of unfounded crimes for this campus is 0.

2024: The total number of unfounded crimes for this campus is 0.

2023: The total number of unfounded crimes for this campus is 0.

Separate Campus - School of Earth, Environmental, and Marine Sciences Port Isabel, TX 78578

PRIMARY CRIMES	Year	On-Campus	Public Property	Total
Murder/Non Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Manslaughter by Negligence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Fondling	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Incest	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Statutory Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Robbery	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Aggravated Assault	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Burglary	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Motor Vehicle Theft	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arson	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

ARRESTS AND REFERRALS	Year	On-Campus	Public Property	Total
Liquor Law Violation Arrests	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Drug Law Violation Arrests	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

ARRESTS AND REFERRALS	Year	On-Campus	Public Property	Total
Weapons Law Violation Arrests	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Liquor Law Violation Referrals for Disciplinary Action	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Drug Law Violation Referrals for Disciplinary Action	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Weapons Law Violation Referrals for Disciplinary Action	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

VAWA OFFENSES	Year	On-Campus	Public Property	Total
Domestic Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Dating Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Stalking	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

HAZING	Year	On-Campus	Public Property	Total
Hazing*	2025	0	0	0
	2024	N/A	N/A	N/A
	2023	N/A	N/A	N/A

* In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "N/A" will be used in place of statistics for any prior years referenced in this report.

This campus does not have any Non-Campus property nor On Campus Student Housing Facilities.

Hate Crime Reporting:

2025: The total number of hate crimes for this campus is 0.

2024: The total number of hate crimes for this campus is 0

2023: The total number of hate crimes for this campus is 0.

Unfounded Crimes:

If a crime is reported as occurring On-Campus, in On-Campus Student Housing Facilities, in or on non-Campus buildings or property, or on Public Property, and the reported crime is investigated by sworn or commissioned law enforcement authorities and found to be false or baseless, the crime is considered to be "unfounded."

Institutions must report the total number of criminal offenses; hate crimes; and domestic violence, dating violence, or stalking incidents that have been unfounded.

2025: The total number of unfounded crimes for this campus is 0.

2024: The total number of unfounded crimes for this campus is 0.

2023: The total number of unfounded crimes for this campus is 0.

Separate Campus - Biomedical Research Building, McAllen, TX 78504

PRIMARY CRIMES	Year	On-Campus	Public Property	Total
Murder/Non Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Manslaughter by Negligence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Fondling	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Incest	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Statutory Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Robbery	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Aggravated Assault	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Burglary	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Motor Vehicle Theft	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arson	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

ARRESTS AND REFERRALS	Year	On-Campus	Public Property	Total
Liquor Law Violation Arrests	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Drug Law Violation Arrests	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

ARRESTS AND REFERRALS	Year	On-Campus	Public Property	Total
Weapons Law Violation Arrests	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Liquor Law Violation Referrals for Disciplinary Action	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Drug Law Violation Referrals for Disciplinary Action	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Weapons Law Violation Referrals for Disciplinary Action	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

VAWA OFFENSES	Year	On-Campus	Public Property	Total
Domestic Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Dating Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Stalking	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

HAZING	Year	On-Campus	Public Property	Total
Hazing*	2025	0	0	0
	2024	N/A	N/A	N/A
	2023	N/A	N/A	N/A

* In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "N/A" will be used in place of statistics for any prior years referenced in this report.

This campus does not have any Non-Campus property nor On Campus Student Housing Facilities.

Hate Crime Reporting:

2025: The total number of hate crimes for this campus is 0.

2024: The total number of hate crimes for this campus is 0

2023: The total number of hate crimes for this campus is 0.

Unfounded Crimes:

If a crime is reported as occurring On-Campus, in On-Campus Student Housing Facilities, in or on non-Campus buildings or property, or on Public Property, and the reported crime is investigated by sworn or commissioned law enforcement authorities and found to be false or baseless, the crime is considered to be "unfounded."

Institutions must report the total number of criminal offenses; hate crimes; and domestic violence, dating violence, or stalking incidents that have been unfounded.

2025: The total number of unfounded crimes for this campus is 0.

2024: The total number of unfounded crimes for this campus is 0.

2023: The total number of unfounded crimes for this campus is 0.

Separate Campus - Center for Innovation and Commercialization Weslaco, TX 78596

PRIMARY CRIMES	Year	On-Campus	Public Property	Total
Murder/Non Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Manslaughter by Negligence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Fondling	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Incest	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Statutory Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Robbery	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Aggravated Assault	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Burglary	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Motor Vehicle Theft	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arson	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

ARRESTS AND REFERRALS	Year	On-Campus	Public Property	Total
Liquor Law Violation Arrests	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Drug Law Violation Arrests	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Weapons Law Violation Arrests	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

ARRESTS AND REFERRALS	Year	On-Campus	Public Property	Total
Liquor Law Violation Referrals for Disciplinary Action	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Drug Law Violation Referrals for Disciplinary Action	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Weapons Law Violation Referrals for Disciplinary Action	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

VAWA OFFENSES	Year	On-Campus	Public Property	Total
Domestic Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Dating Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Stalking	2025	1	0	1
	2024	0	0	0
	2023	0	0	0

HAZING	Year	On-Campus	Public Property	Total
Hazing*	2025	0	0	0
	2024	N/A	N/A	N/A
	2023	N/A	N/A	N/A

* In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "N/A" will be used in place of statistics for any prior years referenced in this report.

This campus does not have any Non-Campus property nor On Campus Student Housing Facilities.

Hate Crime Reporting:

2025: The total number of hate crimes for this campus is 0.

2024: The total number of hate crimes for this campus is 0

2023: The total number of hate crimes for this campus is 0.

Unfounded Crimes:

If a crime is reported as occurring On-Campus, in On-Campus Student Housing Facilities, in or on non-Campus buildings or property, or on Public Property, and the reported crime is investigated by sworn or commissioned law enforcement authorities and found to be false or baseless, the crime is considered to be "unfounded."

Institutions must report the total number of criminal offenses; hate crimes; and domestic violence, dating violence, or stalking incidents that have been unfounded.

2025: The total number of unfounded crimes for this campus is 0.

2024: The total number of unfounded crimes for this campus is 0.

2023: The total number of unfounded crimes for this campus is 0.

Separate Campus - The UT System Education and Research Center at Laredo, TX 78041

PRIMARY CRIMES	Year	On-Campus	Public Property	Total
Murder/Non Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Manslaughter by Negligence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Fondling	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Incest	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Statutory Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Robbery	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Aggravated Assault	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Burglary	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Motor Vehicle Theft	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arson	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

ARRESTS AND REFERRALS	Year	On-Campus	Public Property	Total
Liquor Law Violation Arrests	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Drug Law Violation Arrests	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Weapons Law Violation Arrests	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

ARRESTS AND REFERRALS	Year	On-Campus	Public Property	Total
Liquor Law Violation Referrals for Disciplinary Action	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Drug Law Violation Referrals for Disciplinary Action	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Weapons Law Violation Referrals for Disciplinary Action	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

VAWA OFFENSES	Year	On-Campus	Public Property	Total
Domestic Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Dating Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Stalking	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

HAZING	Year	On-Campus	Public Property	Total
Hazing*	2025	0	0	0
	2024	N/A	N/A	N/A
	2023	N/A	N/A	N/A

* In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "N/A" will be used in place of statistics for any prior years referenced in this report.

This campus does not have any Non-Campus property nor On Campus Student Housing Facilities.

Hate Crime Reporting:

2025: The total number of hate crimes for this campus is 0.

2024: The total number of hate crimes for this campus is 0

2023: The total number of hate crimes for this campus is 0.

Unfounded Crimes:

If a crime is reported as occurring On-Campus, in On-Campus Student Housing Facilities, in or on non-Campus buildings or property, or on Public Property, and the reported crime is investigated by sworn or commissioned law enforcement authorities and found to be false or baseless, the crime is considered to be "unfounded."

Institutions must report the total number of criminal offenses; hate crimes; and domestic violence, dating violence, or stalking incidents that have been unfounded.

2025: The total number of unfounded crimes for this campus is 0.

2024: The total number of unfounded crimes for this campus is 0.

2023: The total number of unfounded crimes for this campus is 0.

Appendix A – Clery Definitions

Types of Criminal Offenses

Criminal Homicide

- **Murder and Non-negligent Manslaughter:** The willful (non-negligent) killing of a human being by another.
- **Manslaughter By Negligence:** The killing of person through gross negligence.

Sexual Assault (Sex Offenses)

Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. Offenses that meet the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program are considered Sexual Assault (Sex Offenses) crimes for the purposes of Clery Act reporting.

- **Rape** is defined as the penetration by cisgender or non-cisgender, no matter how slight, of the vagina or anus with anybody part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.
- **Fondling** is defined as the touching of the private body 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 or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of forces or violence and/or by putting the victim in fear.

Aggravated Assault

An unlawful assault or attempted assaulted by one (or more) persons of another for the purpose of inflicting severe or aggravated bodily injury.

Burglary

The unlawful entry (or attempt to enter) into a defined structure with the intent to commit a theft or any felony.
(Excludes vehicle burglary)

Motor Vehicle Theft

The taking of a motor vehicle (as defined) without the consent of the owner with the intent to either permanently or temporarily deprive the owner of the vehicle. (Includes attempts)

Arson

The willful or malicious burning or attempt to burn (w/o the intent to defraud) a dwelling, house, public building, motor vehicle or aircraft, or personal property of another. (Includes attempts)

Hate Crime

A criminal act involving one/more of the listed crimes which was motivated by bias against any person or group of persons, or the property of any person or group of persons. The crimes listed above will also be evaluated for hate crime statistics.

- **Larceny-Theft:** The unlawful taking, carrying, leading or riding away of property from the possession or constructive possession.
- **Simple assault:** An unlawful physical attack by one or more persons upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury.
- **Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- **Destruction/Damage/Vandalism of Property:** To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property.

Bias

A pre-formed negative opinion or attitude toward a person or group of people because of their ethnicity, race, national origin, religion, gender, gender identity, sexual orientation, or disability (varied ability) or based upon the perception that the person or group has one or more of those characteristics.

Hazing

Any Intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons), against another person or persons regardless of the willingness of such other person or persons to participate that -

- Is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and

- Causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution.

of higher education or the organization (such as physical preparation necessary for participation in an athletic team), of physical or psychological injury including-

- Whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
- Causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
- Causing coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
- Causing, coercing, or otherwise inducing a person to perform sexual acts;
- Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
- Any activity against another person that includes a criminal violation of local, State, Tribal or Federal law and
- Any activity that induces, causes or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal or Federal Law

VAWA Offenses

(Violence Against Women Act) The Clery Act defines the crimes of domestic violence, dating violence, sexual assault and stalking as follows:

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 who 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;
- 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 crimes of violence occurred.

For the purposes of complying with the requirements of this section and 34 C.F.R. §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. 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.

For the purposes of complying with the requirements of this section and 34 C.F.R. §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for 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, 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.

For the purposes of complying with the requirements of this section and 34 C.F.R. §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Types of Weapon, Drug, and Liquor Violations

Weapon, Drug and Liquor violations of the law that occur on UTRGV Clery Act geography and result in arrests or persons being referred for disciplinary action.

Weapons

Violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

Drug

Laws or ordinances regulate possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous nonnarcotic drugs (barbiturates, Benzedrine).

Liquor

Violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

Appendix B –Penalties for Drug Use

Marijuana

Possession

Amount	Penalty/ Fine	Imprisonment
Two ounces or less	Class B misdemeanor / a fine not to exceed \$2,000	Confinement in jail for a term not to exceed 180 days; or both such fine and confinement.
Four ounces or less but more than two ounces	Class A misdemeanor / a fine not to exceed \$4,000	Confinement in jail for a term not to exceed one year; or both such fine and confinement.
Five pounds or less but more than four ounces	State jail felony / a fine not to exceed \$10,000	Confinement in a state jail for any term of not more than two years or less than 180 days
50 pounds or less but more than 5 pounds	3rd degree felony / a fine not to exceed \$10,000	Imprisonment in the Texas Department of Criminal Justice for any term of not more than 10 years or less than 2 years.
2,000 pounds or less but more than 50 pounds	2nd degree felony / a fine not to exceed \$10,000	Imprisonment in the Texas Department of Criminal Justice for any term of not more than 20 years or less than 2 years.
More than 2,000 pounds	1 st degree felony/ A fine not to exceed \$50,000	Imprisonment in the Texas Department of Criminal Justice for life or for any term of not more than 99 years or less than 5 years.

Delivery

Amount	Penalty/Fine	Imprisonment
One-fourth ounce or less (Does not receive remuneration)	Class B misdemeanor / a fine not to exceed \$2,000	Confinement in jail for a term not to exceed 180 days; or both such fine and confinement.
One-fourth ounce or less (receives remuneration)	Class A misdemeanor / a fine not to exceed \$4,000	Confinement in jail for a term not to exceed one year; or both fine and confinement.
Five pounds or less but more than one-fourth ounce	State jail felony / a fine not to exceed \$10,000	Confinement in a state jail for any term of not more than two years or less than 180 days
50 pounds or less but more than five pounds	2nd degree felony / a fine not exceed \$10,000	Imprisonment in the Texas Department of Criminal Justice for any term of not more than 20 years or less than 2 years.
2,000 pounds or less but more than 50 pounds	1st degree felony / a fine not to exceed \$ 10,000	Imprisonment in the Texas Department of Criminal Justice for life or for any term of not more than 99 years or less than 5 years.
2,000 pounds or more	1 st degree felony/ a fine not to exceed \$100,000.	Imprisonment for life or for a term of not more than 99 years or less than 10 years
Sale of marijuana to a minor	2 nd degree felony. Fine up to \$ 10,000	Confinement in jail for not more than 20 years in jail or less than 2 years.

Cocaine & Crack Cocaine- PG-1

Possession

Amount	Penalty/ Fine	Imprisonment
Less than 1 gram	State jail felony / fine not to exceed \$10,000	Confinement in a state jail for any term of not more than two years or less than 180 days
One gram or more but less than 4 grams	3rd degree felony / a fine not to exceed \$10,000	Imprisonment in the Texas Department of Criminal Justice for any term of not more than 10 years or less than 2 years.
4 grams or more but not less than 200 grams	2nd degree felony / a fine not to exceed \$10,000	Imprisonment in the Texas Department of Criminal Justice for any term of not more than 20 years or less than 2 years.
200 grams or more but less than 400 grams	1st degree felony / a fine not to exceed \$10,000.	Imprisonment in the Texas Department of Criminal Justice for life or for any term of not more than 99 years or less than 5 years.
400 grams or more	1 st degree felony / fine not to exceed \$100,000.	Imprisonment for life or for a term of not more than 99 years or less than 10 years

Delivery

Amount	Penalty/Fine	Imprisonment
Less than one gram	State jail felony / a fine not to exceed \$10,000	Confinement in a state jail for any term of not more than two years or less than 180 days
One gram or more but less than four grams	2 nd degree felony / a fine not to exceed \$10,000	Imprisonment in the Texas Department of Criminal Justice for any term of not more than 20 years or less than 2 years.
Four grams or more but less than 200 grams	1 st degree felony / a fine not to exceed \$10,000.	Imprisonment in the Texas Department of Criminal Justice for life or for any term of not more than 99 years or less than 5 years.
200 grams or more but less than 400	1 st degree Felony / fine not to exceed \$100,000.	Imprisonment for life or for a term of not more than 99 years or less than 10 years.
400 grams or more	1 st degree Felony / fine not to exceed \$250,000.	Imprisonment for life or for a term of not more than 99 years or less than 15 years

Heroin, Opium, Morphine, Codeine and Demerol- PG-1

Possession

Amount	Penalty/ Fine	Imprisonment
Less than 1 gram	State jail felony / fine not to exceed \$10,000	Confinement in a state jail for any term of not more than two years or less than 180 days
One gram or more but less than 4 grams	3rd degree felony / a fine not to exceed \$10,000	Imprisonment in the Texas Department of Criminal Justice for any term of not more than 10 years or less than 2 years.
4 grams or more but not less than 200 grams	2nd degree felony / a fine not to exceed \$10,000	Imprisonment in the Texas Department of Criminal Justice for any term of not more than 20 years or less than 2 years.
200 grams or more but less than 400 grams	1st degree felony / a fine not to exceed \$10,000.	Imprisonment in the Texas Department of Criminal Justice for life or for any term of not more than 99 years or less than 5 years.
400 grams or more	1 st degree felony / fine not to exceed \$100,000.	Imprisonment for life or for a term of not more than 99 years or less than 10 years

Delivery

Amount	Penalty/ Fine	Imprisonment
Less than one gram	State jail felony / a fine not to exceed \$10,000	Confinement in a state jail for any term of not more than two years or less than 180 days
One gram or more but less than four grams	2 nd degree felony / a fine not to exceed \$10,000	Imprisonment in the Texas Department of Criminal Justice for any term of not more than 20 years or less than 2 years.
Four grams or more but less than 200 grams	1 st degree felony / a fine not to exceed \$10,000.	Imprisonment in the Texas Department of Criminal Justice for life or for any term of not more than 99 years or less than 5 years.
200 grams or more but less than 400	1 st degree Felony / fine not to exceed \$100,000.	Imprisonment for life or for a term of not more than 99 years or less than 10 years.
400 grams or more	1 st degree Felony / fine not to exceed \$250,000.	Imprisonment for life or for a term of not more than 99 years or less than 15 years

LSD- PG 1-A

Possession

Amount	Penalty/Fine	Imprisonment
Fewer than 20 units	State jail felony / a fine not to exceed \$10,000	Confinement in a state jail for any term of not more than two years or less than 180 days
20 or more, but fewer than 80 units	3rd degree felony / a fine not to exceed \$10,000	Imprisonment in the Texas Department of Criminal Justice for any term of not more than 10 years or less than 2 years.
80 or more, but fewer than 4,000	2nd degree felony / a fine not to exceed \$10,000	Imprisonment in the Texas Department of Criminal Justice for any term of not more than 20 years or less than 2 years.
4,000 or more, but fewer than 8,000	1st degree felony / a fine not to exceed \$10,000	Imprisonment in the Texas Department of Criminal Justice for life or for any term of not more than 99 years or less than 5 years.
8,000 or more units	1 st degree felony / a fine not to exceed \$250,000	Imprisonment in the Texas Department of Criminal Justice for life or for any term of not more than 99 years or less than 5 years.

Delivery

Amount	Penalty/ Fine	Imprisonment
Fewer than 20 units	State jail felony / a fine not to exceed \$10,000	Confinement in a state jail for any term of not more than two years or less than 180 days
20 or more, but fewer than 80 units	2nd degree felony / a fine not to exceed \$10,000	Imprisonment in the Texas Department of Criminal Justice for any term of not more than 20 years or less than 2 years.
80 or more, but fewer than 4,000	1 st degree felony / a fine not to exceed \$10,000	Imprisonment in the Texas Department of Criminal Justice for life or for any term of not more than 99 years or less than 5 years.
4,000 or more units	1 st degree felony / a fine not to exceed \$250,000	Imprisonment for life or for a term of not more than 99 years or less than 15 years

PCP – PG-2

Possession

Amount	Penalty/ Fine	Imprisonment
Less than 1 gram	State jail felony / fine not to exceed \$10,000	Confinement in a state jail for any term of not more than two years or less than 180 days
One gram or more but less than 4 grams	3rd degree felony / a fine not to exceed \$10,000	Imprisonment in the Texas Department of Criminal Justice for any term of not more than 10 years or less than 2 years.
4 grams or more but less than 400 grams	2nd degree felony / a fine not to exceed \$10,000	Imprisonment in the Texas Department of Criminal Justice for any term of not more than 20 years or less than 2 years.
400 grams or more	1 st degree felony / a fine not to exceed \$50,000.	Imprisonment for life or for a term of not more than 99 years or less than five years

Delivery

Amount	Penalty/ Fine	Imprisonment
Less than one gram	State jail felony / a fine not to exceed \$10,000	Confinement in a state jail for any term of not more than two years or less than 180 days
One gram or more but less than four grams	2 nd degree felony / a fine not to exceed \$10,000	Imprisonment in the Texas Department of Criminal Justice for any term of not more than 20 years or less than 2 years.
Four grams or more but less than 400 grams	1 st degree felony / a fine not to exceed \$10,000	Imprisonment in the Texas Department of Criminal Justice for life or for any term of not more than 99 years or less than 5 years.
400 grams or more	1 st degree Felony / a fine not to exceed \$100,000.	Imprisonment for life or for a term of not more than 99 years or less than 10 years

MDMA (Ecstasy) – PG-2

Possession

Amount	Penalty/ Fine	Imprisonment
Less than 1 gram	State jail felony / fine not to exceed \$10,000	Confinement in a state jail for any term of not more than two years or less than 180 days
One gram or more but less than 4 grams	3rd degree felony / a fine not to exceed \$10,000	Imprisonment in the Texas Department of Criminal Justice for any term of not more than 10 years or less than 2 years.
4 grams or more but less than 400 grams	2nd degree felony / a fine not to exceed \$10,000	Imprisonment in the Texas Department of Criminal Justice for any term of not more than 20 years or less than 2 years.
400 grams or more	1 st degree felony / a fine not to exceed \$50,000.	Imprisonment for life or for a term of not more than 99 years or less than five years

Delivery

Amount	Penalty/ Fine	Imprisonment
Less than one gram	State jail felony / a fine not to exceed \$10,000	Confinement in a state jail for any term of not more than two years or less than 180 days
One gram or more but less than four grams	2 nd degree felony / a fine not to exceed \$10,000	Imprisonment in the Texas Department of Criminal Justice for any term of not more than 20 years or less than 2 years.
Four grams or more but less than 400 grams	1 st degree felony / a fine not to exceed \$10,000	Imprisonment in the Texas Department of Criminal Justice for life or for any term of not more than 99 years or less than 5 years.
400 grams or more	1 st degree Felony / a fine not to exceed \$100,000.	Imprisonment for life or for a term of not more than 99 years or less than 10 years

Barbiturates and Tranquilizers – PG-3

Possession

Amount	Penalty/ Fine	Imprisonment
Less than 28 grams	Class A misdemeanor / a fine up to \$4,000.00	Confinement in jail for a term not to exceed one year; or both such fine and confinement.
28 grams or more but less than 200 grams	3 rd degree felony / a fine not to exceed \$10,000	Imprisonment in the Texas Department of Criminal Justice for any term of not more than 10 years or less than 2 years.
200 grams or more but less than 400 grams	2 nd degree felony / a fine not to exceed \$10,000	Imprisonment in the Texas Department of Criminal Justice for any term of not more than 20 years or less than 2 years.
400 grams or more	1 st degree felony / a fine not to exceed \$50,000	Imprisonment in the Texas Department of Criminal Justice for life or for any term of not more than 99 years or less than 5 years.

Delivery

Amount	Penalty/ Fine	Imprisonment
Less than 28 grams	State jail felony / a fine not to exceed \$10,000	Confinement in a state jail for any term of not more than two years or less than 180 days
28 grams or more but less than 200 grams	2 nd degree felony / a fine not to exceed \$10,000	Imprisonment in the Texas Department of Criminal Justice for any term of not more than 20 years or less than 2 years.
200 grams or more but less than 400 grams	1 st degree felony / a fine not to exceed \$10,000	Imprisonment in the Texas Department of Criminal Justice for life or for any term of not more than 99 years or less than 5 years.
400 grams or more	Enhanced felony / a fine not to exceed \$100,000	Imprisonment for life or for a term of not more than 99 years or less than 10 years.

GHB- PG-1

Possession

Amount	Penalty/Fine	Imprisonment
Less than one gram	A state jail felony / a fine not to exceed \$10,000	Confinement in a state jail for any term of not more than two years or less than 180 days
One gram or more but less than four grams	3 rd degree felony / a fine not to exceed \$10,000	Imprisonment in the Texas Department of Criminal Justice for any term of not more than 10 years or less than 2 years.
Four grams or more but less than 200 grams	2 nd degree felony / a fine not to exceed \$10,000	Imprisonment in the Texas Department of Criminal Justice for any term of not more than 20 years or less than 2 years.
200 grams or more but less than 400 grams	1 st degree felony / a fine not to exceed \$10,000	Imprisonment in the Texas Department of Criminal Justice for life or for any term of not more than 99 years or less than 5 years.
400 grams or more	1 st degree felony / a fine not to exceed \$100,000	Imprisonment for life or for a term of not more than 99 years or less than 10 years

Delivery

Amount	Penalty/Fine	Imprisonment
Less than one gram	State jail felony / a fine not to exceed \$10,000	Confinement in a state jail for any term of not more than two years or less than 180 days
One gram or more but less than four grams	2 nd degree felony / a fine not to exceed \$10,000	Imprisonment in the Texas Department of Criminal Justice for any term of not more than 20 years or less than 2 years.
Four grams or more but less than 200 grams	1 st degree felony / a fine not to exceed \$10,000.	Imprisonment in the Texas Department of Criminal Justice for life or for any term of not more than 99 years or less than 5 years.
200 grams or more but less than 400	1 st degree Felony / fine not to exceed \$100,000.	Imprisonment for life or for a term of not more than 99 years or less than 10 years.
400 grams or more	1 st degree Felony / fine not to exceed \$250,000.	Imprisonment for life or for a term of not more than 99 years or less than 15 years

Rohypnol ("Roofies")- PG-1

Possession

Amount	Penalty/ Fine	Imprisonment
Less than one gram	A state jail felony / a fine not to exceed \$10,000	Confinement in a state jail for any term of not more than two years or less than 180 days
One gram or more but less than four grams	3 rd degree felony / a fine not to exceed \$10,000	Imprisonment in the Texas Department of Criminal Justice for any term of not more than 10 years or less than 2 years.
Four grams or more but less than 200 grams	2 nd degree felony / a fine not to exceed \$10,000	Imprisonment in the Texas Department of Criminal Justice for any term of not more than 20 years or less than 2 years.
200 grams or more but less than 400 grams	1 st degree felony / a fine not to exceed \$10,000	Imprisonment in the Texas Department of Criminal Justice for life or for any term of not more than 99 years or less than 5 years.
400 grams or more	1 st degree felony / a fine not to exceed \$100,000	Imprisonment for life or for a term of not more than 99 years or less than 10 years

Delivery

Amount	Penalty/ Fine	Imprisonment
Less than one gram	State jail felony / a fine not to exceed \$10,000	Confinement in a state jail for any term of not more than two years or less than 180 days
One gram or more but less than four grams	2 nd degree felony / a fine not to exceed \$10,000	Imprisonment in the Texas Department of Criminal Justice for any term of not more than 20 years or less than 2 years.
Four grams or more but less than 200 grams	1 st degree felony / a fine not to exceed \$10,000.	Imprisonment in the Texas Department of Criminal Justice for life or for any term of not more than 99 years or less than 5 years.
200 grams or more but less than 400	1 st degree Felony / fine not to exceed \$100,000.	Imprisonment for life or for a term of not more than 99 years or less than 10 years.
400 grams or more	1 st degree Felony / fine not to exceed \$250,000.	Imprisonment for life or for a term of not more than 99 years or less than 15 years

Appendix C – ADM 03-300: Sexual Misconduct Policy

Handbook of Operating Procedures

SEXUAL MISCONDUCT

A. Purpose

The University of Texas Rio Grande Valley (UTRGV) is committed to maintaining a learning and work environment that is free from discrimination based on sex in accordance with Title IX of the Higher Education Amendments of 1972 (Title IX), which prohibits discrimination on the basis of sex in educational programs or activities; Title VII of the Civil Rights Act of 1964 (Title VII), which prohibits sex discrimination in employment; the Campus Sexual Violence Elimination Act (SaVE Act), Violence Against Women Act (VAWA), and Clery Act.

B. Persons Affected

This policy applies to all UTRGV administrators, faculty, staff, students, and third parties within UTRGV's control, including visitors and applicants for admission or employment. It applies to conduct that occurs on UTRGV owned or controlled premises; in an education program or activity, including UTRGV sponsored or supported events; buildings owned or controlled by student organizations officially recognized by UTRGV; or off campus when the conduct potentially affects a person's education or employment with UTRGV or potentially poses a risk of harm to members of the UTRGV community. It also applies regardless of the gender, gender identity, or sexual orientation of the parties.

C. Policy

UTRGV prohibits discrimination on the basis of sex in its educational programs or activities and in employment. Sexual misconduct, retaliation, and other conduct prohibited under this policy will be subject to disciplinary action. The definitions of prohibited conduct under this policy are found in Section E. UTRGV will take appropriate action when any individuals or organizations within its control violate this policy, including but not limited to, dismissal or separation from UTRGV. UTRGV encourages individuals to promptly report incidents that you believe violate this policy to the [Title IX Coordinator or Deputy Coordinators](#) (collectively "Title IX Officer") or a Responsible Employee. This policy does not prohibit speech and conduct protected by the First Amendment of the Constitution and the principles of academic freedom. UTRGV respects the right of a faculty member to discuss freely the subject that they teach and the right of students to engage in constitutionally protected expression.^[1] The right to free expression, however, is not absolute. Conduct that creates a sexually hostile environment, even though it contains elements of speech, violates this policy.

^[1] The offensive conduct underlying some incidents might be protected speech, but it may still be in contradiction to the

University's academic freedom and its commitment to integrity, honesty, dignity, respect and honorable conduct (*see generally* Regents' Rule 10901, *Statement of U.T. System Values and Expectations*). In these instances, UTRGV will uphold constitutional rights, but will also exercise its right to speak and engage in educational dialogue with those whose expression is contrary to its values.

D. Procedures

1. Reporting Incidents

- a. Report Distinguished from Filing of a Formal Complaint - There is a distinction between reporting an incident and filing a formal complaint. Reporting informs UTRGV of the incident, which allows the institution to provide supportive measures (as outlined in Section D.3.b of this policy) to the Complainant. All Complainants who report incidents of sexual misconduct will be offered individualized supportive measures. A Complainant who wishes to initiate a grievance against a Respondent should file a formal complaint as outlined in more detail under Section D.1.d below. A formal complaint will be reviewed by the Office of Title IX and Equal Opportunity (OTIXEO) and may involve an investigation and a hearing to determine the responsibility of the Respondent (see Grievance Process in Section D.4 below).
- b. All Members of the UTRGV Community, Third Party and Anonymous Complaints - Any person may report sexual misconduct, retaliation, or other conduct prohibited under this policy to the [Title IX Coordinator](#), even if the person reporting is not the alleged victim of the incident. Individuals are strongly encouraged to immediately report any incidents of sexual misconduct to the Title IX Officer; the report can be a verbal or a written report to the [Title IX Officer](#).
 - i. Anonymity - Individuals may make an anonymous complaint in any manner, including by telephone or written communication with the [Title IX Officer](#) or online through [the OTIXEO Report It Form](#). Your decision to remain anonymous, however, may greatly limit UTRGV's ability to stop the alleged conduct, collect evidence, or take action against parties accused of violating the policy. Anonymous reporting is not an option for fulfilling Responsible Employee Reporting obligations.
 - ii. Confidentiality - Most UTRGV employees are required to report and respond to complaints of sexual misconduct and may be unable to honor a request for confidentiality. Individuals who want to discuss a complaint in strict confidence may use the resources outlined in Section D.1.h below.
 - iii. Timeliness of Complaint - Responsible Employees are required to report known incidents and information of sexual misconduct promptly to the [Title IX Coordinator](#). Responsible Employees cannot withhold a party's identity if known and must include whether a Complainant has expressed a desire for

confidentiality in reporting the incident. All employees are Responsible Employees except Confidential Employees or police officers when a victim uses a pseudonym form. For others in the UTRGV community, you are strongly encouraged to report sexual misconduct, retaliation, and any other conduct prohibited under this policy as soon as you become aware of such conduct.

- c. [Title IX Coordinator and Deputy Coordinators](#) - If you are required to inform the Title IX Officer of sexual misconduct, complete the [OTIXEO Report It Form](#) or the [Confidential Employee Sexual Misconduct Reporting Form](#), as applicable.
- d. [Filing a Formal Complaint](#) – To file a formal complaint and thereby initiate the grievance process, the Complainant must submit the complaint in writing to the Title IX Coordinator, and in so doing, cannot remain anonymous, in the formal complaint.
 - i. The formal complaint should include all known details of the alleged conduct that is the subject of the complaint. The Complainant must submit and sign a written statement requesting an investigation and setting out the known details of the alleged conduct that is the subject of the formal complaint, including the following:
 - 1. Complainant's name and contact information;
 - 2. Respondent's name;
 - 3. Detailed description of the alleged conduct or event that is the basis of the alleged violation under this policy;
 - 4. Date(s) and location(s) of the alleged occurrence(s);
 - 5. Names of any witnesses to the alleged occurrence(s); and
 - 6. The resolution sought.
 - ii. The Complainant may also submit any documents or information that is relevant to the formal complaint at the time it is filed or in the course of the investigation.
 - iii. The Title IX Coordinator may also sign a formal complaint against a Respondent (requesting an investigation) and thereby initiate a formal grievance process.
- e. [Consolidation of Formal Complaint Allegations](#) – UTRGV may consolidate formal complaints for the following reasons:
 - i. When the formal complaint is against more than one Respondent;

- ii. When the formal complaint is by more than one Complainant against one or more Respondents; or
- iii. When the alleged conduct arises out of the same facts or circumstances.

When one or more consolidated formal complaints involve sexual misconduct, then UTRGV will apply the same grievance process for all of the consolidated formal complaints.

- f. Reporting to Law Enforcement - Individuals may also report to UTRGV [University Police](#); (956) 882-4911, or call 911 (for emergency services); [City of Edinburg Police](#) (956) 383-7411, [City of Harlingen Police](#) (956) 216-5940, [City of Brownsville Police](#) (956) 548-7000, or other local law enforcement authorities. The Title IX Officer can help individuals contact these law enforcement agencies. Employees and students with protective or restraining orders relevant to a complaint are encouraged to provide a copy to the UTRGV University Police. Reporting to law enforcement and initiating criminal charges is a separate process from submitting a report or filing a formal complaint with OTIXEO. Further, criminal investigations and proceedings are a separate process from the grievance procedures under this policy.
- g. Reporting to Outside Agencies - You may also contact the external agencies below.

For students:

Office of Civil Rights
 U.S. Department of Education
 400 Maryland Avenue, SW
 Washington, D.C. 20202-1100
 (800) 421-3481 (toll free hotline)
 (877) 521-2172
 (202) 453-6012 (fax)
OCR@ed.gov
<http://www.ed.gov/ocr>

Office for Civil Rights
 U.S. Department of Health and Human Services
 200 Independence Avenue, SW
 Room 509F, HHH Building
 Washington, D.C. 20201
 (800) 368-1019 (toll free hotline)
 (800) 537-7697
OCRmail@hhs.gov
<http://www.hhs.gov/ocr>

For employees:

U.S. Equal Employment Opportunity Commission
Dallas District Office
207 S. Houston Street, 3rd Floor
Dallas, TX 75202
Phone: (972) 918-3580
TTY: (800) 669-6820
FAX: (214) 253-2720
<https://www.eeoc.gov/field-office/dallas/location>

Texas Workforce Commission
Civil Rights Division
101 E. 15th Street
Room 144-T
Austin, TX 78778-0001
(800) 628-5115
<https://www.twc.texas.gov/programs/civil-rights>

- h. Confidential Support and Resources - Students may discuss an incident with confidential employees (as defined below) or an off-campus resource (i.e. rape crisis center, doctor, psychologist, clergyperson, etc.) without concern that the person's identity will be reported to OTIXEO. Employees may also seek assistance from the Employee Assistance Program, their own personal health care provider, the clergyperson of their choice, or an off-campus rape crisis resource without concern that the person's identity will be reported to OTIXEO. UTRGV and community resources that provide such services are:

Office of Advocacy and Violence Prevention (OAVP)
UTRGV Edinburg and Brownsville Campuses
Phone: (956) 665-8287 (E)
Phone: (956) 882-8282 (B)
Email: OAVP@utrgv.edu

Mujeres Unidas in Hidalgo County
Phone: (956) 630-4878 or (800) 580-4879

Friendship of Women
95 E Price Rd.
Brownsville, TX 78521
Phone: (956) 544-7412

[Family Crisis Center](#) in Rio Grande Valley
616 W. Taylor
Harlingen, TX 78550
Phone: (956) 423-9305

- i. Immunity - To encourage reporting of sexual misconduct and participation in the grievance process, UTRGV will grant immunity for minor policy violations, such as underage possession or consumption of alcohol or use of illicit drugs when related to the alleged prohibited conduct under this policy. Immunity from student or employee disciplinary action will be available to a person who acts in good faith in reporting an incident, filing a formal complaint, or participating in a grievance process. This immunity does not extend to the person's own violations of this policy.
2. *Parties' Rights Regarding Confidentiality, Requests to Not Investigate, and Requests to Dismiss Formal Complaints*
- a. UTRGV has great respect for the privacy of the parties identified in a report or formal complaint. Under federal and state law, however, Responsible Employees who receive information of alleged sexual misconduct must share that information with the [Title IX Coordinator](#). Depending on the facts and circumstances, UTRGV, through the Title IX Coordinator, may be obligated to investigate further, regardless of the Complainant's request for confidentiality or request to not investigate a report.
 - b. In making determinations regarding requests for confidentiality, Complainant's requests to not investigate, Complainants' requests to dismiss formal complaints, or requests to not disclose identifying information to Respondents, the Title IX Coordinator, or designee, must deliberately weigh the rights, interests, and safety of the Complainant, the Respondent and the campus community. Factors UTRGV must consider when determining whether to investigate allegations of misconduct include, but are not limited to:
 - i. The Complainant's request to UTRGV to not investigate the alleged conduct;
 - ii. The Complainant's reasonable safety concerns for initiating a formal complaint and formal grievance process;
 - iii. The extent to which the alleged conduct poses a risk or harm to the Complainant or the campus community;
 - iv. The seriousness and severity of the alleged conduct;
 - v. The age and relationship of the parties;

- vi. The scope of the alleged conduct by the Respondent, including other reports of alleged sexual misconduct received by UTRGV, pattern-based allegations, alleged ongoing misconduct, or alleged conduct that impacted multiple individuals;
- vii. The availability of relevant evidence to assist a decision-maker in determining whether alleged conduct occurred;
- viii. The status of the Complainant or Respondent within UTRGV or whether either party is still a member of the campus community;
- ix. Whether UTRGV could reasonably prevent the conduct's reoccurrence without initiating a formal complaint and Formal Grievance Process; and
- x. Any other factors UTRGV determines relevant, depending on the facts and circumstances known at the time.

Examples of risks of harm, seriousness and /or severity of allegations include, but are not limited to, evidence of: (a) pattern-based behavior, (b) predatory behavior, (c) threats of force/violence, (d) use of force/violence, (e) use of weapons, and/or (f) abuse of minors.

In addition, UTRGV will also consider whether a Complainant has interest or intention to participate in the Grievance Process, the effect that non-participation may have on the availability of sufficient evidence, and UTRGV's ability to pursue the Formal Grievance Process fairly and effectively under these circumstances.

- c. If relevant factors present an imminent and serious threat to the health or safety of the Complainant or the campus community, or the alleged conduct prevents UTRGV from ensuring equal access to the University's education program or activity, then the Title IX Coordinator may initiate a formal complaint (as outlined in this policy). Under these circumstances, the Complainant must be notified prior to the Title IX Coordinator initiating the grievance process to address the Complainant's reasonable safety concerns, if any, and to offer the Complainant Supportive Measures. If the Complainant requests in writing that UTRGV not investigate a report to the Title IX Officer, OTIXEO will decide whether to comply with the request and inform the Complainant of the decision. Irrespective of the outcome of the request not to investigate, a Complainant may still pursue other options such as informal resolution (if available), supportive measures, and may access campus resources or other community-based resources.
- d. If UTRGV dismisses a formal complaint (as outlined in Section D.4.c of this policy), UTRGV must provide the Complainant and Respondent a written notice of the dismissal and the reason(s) for the dismissal.

- e. In the course of the grievance process, UTRGV may share information only as necessary with people who need to know in compliance with the law, which may include, but is not limited to, the investigators, witnesses, Complainant, Respondent, parties' advisors, hearing officer, and the appellate officer, if applicable. UTRGV will take all reasonable steps to ensure there is no retaliation against the parties or any other participants in the investigation or in any other part of the grievance process.

3. *Resources and Supportive Measures*

a. Immediate Assistance

Police Assistance: Individuals who have experienced or witnessed sexual misconduct are encouraged to make a report to the police. The police may, in turn, share the report with OTIXEO, with the exception of when a pseudonym form is used under the Texas Code of Criminal Procedure for incidents of sexual assault, stalking, family violence, and human trafficking. In those instances, where a pseudonym form is used, the police will report the incident to the Title IX Coordinator but will redact the name and any identifying information about the victim. A police department's geographic jurisdiction depends on where the incident occurred. So if the incident occurred on a UTRGV campus, the individual may file a report with [UTRGV University Police](#) at (956) 882-4911, even if time has passed since the incident occurred.

UTRGV can also assist with applying for any protective orders. Reporting an incident to law enforcement does not mean the case will automatically go to criminal trial or go through a grievance process. If the University Police are called, a police officer will be sent to the scene to take a detailed statement. A police officer or a victim services coordinator may also provide the individual with a ride to the hospital. A report may also be filed with the University Police even if the assailant was not a UTRGV student or employee. If the incident occurred in the City of Edinburg or the City of Brownsville, but off campus, please call the Edinburg Police Department at (956) 289-7700 or Brownsville Police Department at (956) 548-7000. A report may be filed with that city's Police Department, even if time has passed since the incident occurred. If a report is made to the police, a police officer will usually be dispatched to the location to take a written report. A sexual assault victim will also have an opportunity to have a crime victim liaison, counselor, advocate, or police officer with specialized training be present with the victim during police investigative interviews.

Emergency Phone: 911

[University Police](#)

Phone: (956) 882 – 4911

[City of Edinburg Police Department](#)

Phone: (956) 289 - 7700

[City of Harlingen Police Department](#)

Phone: (956) 216 - 5940

[City of Brownsville Police Department](#)

Phone: (956) 548 - 7000

[City of Weslaco Police Department](#)

Phone: (956) 968 – 8591

[City of Rio Grande City Police Department](#)

Phone: (956) 487 - 8892

Healthcare: Individuals who experience any form of sexual, domestic, or dating violence, are encouraged to seek immediate medical care. Also, preserving DNA evidence can be key to identifying the perpetrator in such cases. Victims can undergo a medical exam to preserve physical evidence with or without police involvement. If possible, this should be done immediately. If an immediate medical exam is not possible, individuals who have experienced a sexual assault may have a Sexual Assault Forensic Exam (SAFE) performed by a Sexual Assault Nurse Examiner (SANE) within five (5) days (120 hours) of the incident. With the examinee's consent, the physical evidence collected during this medical exam can be used in a criminal investigation; however, a person may undergo a SAFE even without contacting, or intending to contact, the police. To undergo a SAFE, go directly to the emergency department of:

[Doctors Hospital at Renaissance](#)

Safe HAVEN Forensic Exam Center

Edinburg, Texas

(956) 362-7774

[Valley Baptist Medical Center](#)

Harlingen, Texas

(956) 389-1100

or to the nearest hospital that provides SAFE services.

For more information about the SAFE, visit [OAVP](#) or review the information on the [Attorney General of Texas, Crime Victims](#). The reasonable costs associated with the forensic portion of a SAFE, the evidence collection kit, and other prescribed medical care related to the sexual assault and provided to the victim during the 30-day period following

the SAFE should be covered for the victim by the health care provider or reimbursed to the victim, according to the Code of Criminal Procedure.¹

Counseling and Other Services: Individuals who experience sexual misconduct are strongly encouraged to seek counseling, medical or psychological care even if the person does not plan to request a SAFE or report the incident to the police. Individuals may be prescribed medications to prevent sexually transmitted infections or pregnancy even if the police are not contacted or if a SAFE is not performed. Similarly, other individuals affected by an incident are encouraged to seek counseling or psychological care.

Services are available as follows:

Students can contact:

[Health Services](#)

UTRGV Edinburg and Brownsville Campuses

Phone: (956) 665-2511 (E)

Phone: (956) 882-3896 (B)

[UTRGV Counseling Center](#)

UTRGV Edinburg and Brownsville Campuses

Phone: (956) 665-2574 (E)

Phone: (956) 882-7641 (B)

Faculty and staff can contact:

[UT Employee Assistance Program](#)

Phone: (800) 346-3549

b. Supportive Measures

UTRGV will offer reasonably available individualized services, without any fee or charge, to the parties involved in a reported incident of sexual misconduct whether or not a formal complaint is filed, when applicable.

Supportive measures may include, but are not limited to, housing reassignment, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, withdrawal from or retake of a class without penalty, campus escort services, mutual restrictions on contact between the parties, change in work or housing locations, leaves of absences (e.g. academic withdrawal), increased security and

¹ Tex. Code Crim. Proc. art. 56A.304; Tex. Code Crim. Proc. art. 56A.305

monitoring of certain areas of campus or other similar measures tailored to the individualized needs of the parties for a reasonably appropriate or relevant timeframe.

Supportive measures are non-disciplinary and non-punitive measures that do not unreasonably burden the other party. Supportive Measures can be utilized and modified throughout the grievance process (if applicable) and continue after the conclusion of the grievance process, depending on the circumstances.

Any disciplinary or punitive measures may only be implemented following the conclusion of the grievance process unless an emergency removal (as outlined in Section D.4.I) is appropriate.

UTRGV will maintain the confidentiality of supportive measures provided to the parties to the extent that maintaining such confidentiality does not impair the ability of UTRGV to provide the supportive measures. The coordination of Supportive Measures will follow the confidentiality provisions under Section D.1(h) of this policy.

c. Pregnancy and Related Conditions

UTRGV will provide specific support and coordination to pregnant students and employees to prevent sex- or pregnancy-based discrimination and ensure equal access to the University's education program or activities and work environments (in accordance with the [ADM 03-101](#) Pregnancy and Parenting Nondiscrimination, [ADM 03-200](#) Accommodations for Individuals with Disability, and ADM [03-100](#) Non-Discrimination and Complaint Procedure policies).

To request more information on available services:

Students can contact

[Student Accessibility Services](#)

Brownsville - BMSLC 1.107

Edinburg - University Center 108

ability@utrgv.edu

(956) 665-7005 (E)

(956) 882-7374 (B)

Employees can contact

[Human Resources, HR Business Partners](#)

Edinburg

1201 West University Drive

Marialice Shary Shivers

Building (EMASS) 2.126

Edinburg, Texas 78539
956-665-2451 (E)

Brownsville
2395 West University Blvd.
Vaquero Plaza Building B (BVAQB)
Brownsville, Texas 78520
956-882-8205 (B)
hrpartners@utrgv.edu

4. *The Grievance Process*

a. Key Officials in the Grievance Process

- i. Title IX Coordinator - The Title IX Coordinator is the senior UTRGV administrator who oversees UTRGV's compliance with Title IX. The Title IX Coordinator is responsible for administrative response to reports and formal complaints of sexual misconduct, retaliation, and other prohibited conduct under this policy. The Title IX Coordinator is available to discuss options available under this policy, the grievance process, coordinate supportive measures, explain UTRGV policies and procedures, and provide education on relevant issues. The Title IX Coordinator may designate one or more Deputy Title IX Coordinators to facilitate these responsibilities. Any member of the UTRGV community may contact the Title IX Coordinator with questions.
- ii. Investigator(s) - UTRGV will ensure that formal complaints are properly investigated under this policy by investigators assigned to the formal complaint. The investigators are neutral and impartial and seek to gather relevant evidence and interview relevant witnesses for the investigation. The investigators are responsible for completing an investigation report at the conclusion of the investigation. The Deputy Title IX Coordinators may supervise and advise the Title IX investigators when conducting investigations and update the Title IX Coordinator as necessary to ensure compliance with Title IX.
- iii. Informal Resolution Facilitator(s) - An informal resolution facilitator is responsible for assisting the parties with navigating the Informal Resolution (IR) process. The facilitators are neutral and impartial, and seek to facilitate a mutually agreeable outcome with the parties that appropriately resolves an alleged policy violation. The Deputy Title IX Coordinators may supervise and advise the informal resolution facilitators when conducting the IR process and update the Title IX Coordinator as necessary to ensure compliance with Title IX.
- iv. Hearing Officer or Hearing Panel - The hearing officer is responsible for conducting the live hearing in an orderly manner, controlling the conduct of all

participants and attendees of the hearing, and rendering a written determination regarding responsibility of the Respondent's alleged conduct charges, based on the preponderance of the credible evidence, and in an impartial, neutral, and objective manner. UTRGV may, at its discretion, utilize a hearing panel.

- v. University Representative at the Hearing – The University Representative is responsible for presenting relevant evidence regarding the Formal Complaint at a live hearing. The University Representative can present information and witnesses, question witnesses, and provide opening and closing statements at the hearing. The University Representative is neutral, impartial, and independent of the investigation and adjudication of the Formal Complaint.
- vi. Appellate Officer - An appellate officer may be responsible for an appeal of (a) a Formal Complaint Dismissal; (b) a determination regarding a Respondent's responsibility following a live hearing; or (c) sanctions only within a student's administrative disposition. An appellate officer must not have taken part in any other part of the grievance process for the same matter, and must render a final decision on the appeal in an impartial, neutral, and objective manner.

b. Assessment of Complaint

- i. Upon receipt of a formal complaint, the Title IX Coordinator will, within three (3) days, review it to determine whether the complaint constitutes a Sexual Harassment complaint (as defined in this policy), determine the appropriate grievance process (Section D.4.i or D.4.k), if applicable, and provide the applicable notice(s).

c. Formal Complaint Dismissals

- i. Mandatory Formal Complaint Dismissals under the 2020 Title IX Regulations
Under the 2020 Title IX regulations, universities are required to distinguish between prohibited conduct that is "under Title IX" and prohibited conduct that is a violation of university policy. Under Title IX, UTRGV must dismiss a formal complaint or the part of the allegations in a formal complaint, if applicable, where Sexual Harassment is alleged and where:
 - 1. the conduct alleged does not meet the definition of Sexual Harassment;
 - 2. the alleged conduct did not occur in UTRGV's education program or activity; or
 - 3. the alleged conduct did not occur against a person in the United States.

A dismissal under this provision only applies to allegations of Sexual Harassment under Title IX. In such an instance, UTRGV may still investigate a formal complaint for allegations of Sexual Harassment under this Policy. UTRGV may also investigate allegations of prohibited conduct under this Policy, but it will not technically be “under Title IX.”

- ii. Other Formal Complaint Dismissals - UTRGV may, at its discretion, dismiss a formal complaint for any of the following circumstances:
 - 1. The Complainant voluntarily withdraws any or all of the formal complaint allegations, and UTRGV determines that the remaining allegations (if any) would not constitute prohibited conduct defined in this Policy, even if proven;
 - 2. The Complainant submits a written request to the University to not investigate the Formal Complaint filed, and the University determines it can and will honor the request, in accordance with Section D.2 of this policy and applicable state law;
 - 3. UTRGV is unable to identify the Respondent, after UTRGV has taken reasonable steps to do so;
 - 4. the Respondent is no longer employed by UTRGV;
 - 5. Any other specific circumstances that prevent the University from gathering sufficient evidence to reach a determination as to the formal complaint or any allegations therein;
 - 6. UTRGV determines the alleged conduct in the formal complaint would not constitute prohibited conduct under this policy, even if proven; or
 - 7. UTRGV determines the formal complaint does not fall within the scope or applicability of this Policy.
- iii. Notice of Formal Complaint Dismissal - When UTRGV dismisses a formal complaint, UTRGV will provide the parties a written notice of the formal complaint dismissal, and the basis for the dismissal. The parties may appeal the formal complaint dismissal when it includes Sexual Harassment allegations, as outlined below. Otherwise, there is no appeal available.
- iv. Appeals of Formal Complaint Dismissals - When the formal complaint dismissal includes Sexual Harassment allegations, an applicable party may appeal in writing to the Vice President of Human Resources, with a copy to OTIXEO at otixeo@utrgv.edu, within 10 days of notification of the dismissal.

1. Basis for Appeal - For the appeal of a complaint dismissal to be considered, the basis for filing an appeal and supporting evidence must be included. An applicable party may appeal the Formal Complaint Dismissal on the following bases:
 - a. A procedural irregularity that affected the outcome of the matter;
 - b. There is new evidence that was not reasonably available at the time the dismissal was made that could affect the outcome of the matter; or
 - c. The Title IX Coordinator, investigator(s), or a decision-maker had a conflict of interest or bias for or against the parties (generally, or specifically in this matter) that affected the outcome of the matter.
2. Notice of Appeal Filed - The parties will be notified in writing when an appeal is filed. The appeal procedures will apply equally for both parties.
3. Opportunity to Respond - The non-appealing party (if applicable) and UTRGV will have 7 days from the notification of an appeal to submit a written statement responding to the appeal to the Vice President of Human Resources, with a copy to OTIXEO at otixeo@utrgv.edu.
4. Final Determination Regarding Formal Complaint Dismissals - Before rendering a decision, the Appellate Officer will consider all relevant evidence regarding the Formal Complaint Dismissal and its appeal. The Appellate Officer will release a written decision within 21 days from the date the appeal was filed, with one of the following determinations:
 - a. Affirm the Formal Complaint Dismissal; or
 - b. Remand the process back to a Formal Grievance Process.
- d. Concurrent Criminal or Civil Proceedings
 - i. UTRGV will not, as a matter of course, wait for the outcome of a concurrent criminal or civil justice proceeding to act on a formal complaint in a UTRGV Grievance Process. UTRGV has an independent duty to respond to formal complaints of Sexual Misconduct and other prohibited conduct under this policy. At UTRGV's discretion, UTRGV may reasonably delay the investigation or grievance process for a brief period due to concurrent criminal or civil proceedings on a case-by-case basis.

e. Written Notice of the Formal Complaint and Allegations, and Notification of UTRGV Offices Offering Assistance

- i. After receiving a formal complaint, OTIXEO will provide a written notice to the parties of the formal complaint and will inform the parties of available resources and assistance. The written notice of the formal complaint will include the following:
 1. A notice of the grievance process and resolution options. Resolution options of the grievance process are the formal grievance process, the alternative formal grievance process, informal resolution (IR), and formal complaint dismissal, as identified in this policy.
 2. The formal complaint allegations that potentially constitute prohibited conduct under this policy, including sufficient details about the alleged conduct, including the identity of the parties, if known, and the date(s), time(s), and location(s) of alleged conduct known by UTRGV at the time of the formal complaint;
 3. List the potential policy violations being investigated or otherwise applicable under the grievance process;
 4. The Respondent is presumed not responsible for the alleged conduct and that the determination regarding responsibility will be made at the conclusion of the grievance process;
 5. A notice that both parties may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review all evidence;
 6. The parties may review evidence gathered as part of any investigation;
 7. Knowingly making false statements or knowingly submitting false information during the grievance process is prohibited and subject to disciplinary action; and
 8. Any other relevant information for the written notice.

f. Informal Resolution (IR)

- i. After the parties have been provided a copy of the written notice of a formal complaint, the parties may voluntarily engage in an Informal Resolution (IR) process to resolve the Formal Complaint. The IR process is generally designed to facilitate a mutually agreeable outcome to alleged conduct that centers on

eliminating prohibited conduct, preventing its reoccurrence, and remedying the conduct's effects in a manner that meets the needs of the Complainant while maintaining the safety of the campus community.

The IR process, if available, may be initiated by the parties, in writing, at any point prior to reaching a determination regarding the Respondent's responsibility of alleged policy violations.

If a party is interested in the IR process, please contact the [Title IX Coordinator](#) or their designee, who can assist with determining availability of the IR process and whether the other party is interested in a potential Informal Resolution.

- ii. Availability - The Informal Resolution process is not permitted in cases where Sexual Harassment is alleged in the formal complaint when the Complainant is a student and the Respondent is an employee. Informal Resolution is also not available where the Respondent:
 - 1. Has previously participated in the Informal Resolution process and where that process resulted in a mutual IR agreement; or
 - 2. Has previous sexual misconduct policy violations.

For all other cases, UTRGV has the discretion to determine whether Informal Resolution is appropriate to resolve the formal complaint, depending on the specific facts and circumstances of the case.

- iii. Written Notice of the IR Process - Once it is determined that an Informal Resolution (IR) is available to resolve the Formal Complaint, both parties will be notified in writing of the initiation of the IR process, and the parties rights and responsibilities in the IR process.

The written notice of the IR process will include the following:

- 1. The Formal Complaint allegations;
- 2. The requirements of the IR process (as outlined in Section D.4.f of this Policy);
- 3. Prior to an IR Agreement, a party has the right to withdraw from the IR process, and separately, initiate or resume the Formal Grievance Process or Alternative Formal Grievance Process for Students (as outlined in Section D.4.i and D.4.k of this Policy);

4. Includes examples of potential terms that may be reached in an IR Agreement;
 5. If by signing an IR Agreement, the parties would be agreeing to the terms of the agreement, would be bound by the terms of the agreement, and thereby would waive the right to a Formal Grievance Process regarding the alleged conduct at issue; and
 6. The IR Agreement, if signed, will be retained, as outlined in Grievance Process Documentation and Record Retention, Section D.4.n of this Policy.
- iv. IR Agreement and Approval Process - The parties may explore and determine their own set of terms for their IR Agreement. UTRGV will provide an IR facilitator to navigate the IR process. Any IR Agreement must be approved by the Title IX Coordinator or designee. By signing an IR Agreement, the parties are affirming that the terms of the agreement (along with any other supportive or interim measures in place, if applicable) appropriately address the alleged conduct at issue and remedy its effects. By signing an IR Agreement, the parties are bound by the terms of the agreement and waive the right to a Formal Grievance Process regarding the alleged conduct at issue.
 - v. Terms and Conditions - By signing an IR Agreement, the parties agree to comply with the terms of the agreement. However, the parties' failure to comply with any terms of the IR Agreement may result in its own disciplinary action and mutually agreed-upon consequences in the agreement.
- No recording of the IR process will be made and all statements made during the IR process may not be used for or against either party (in addition, the Hearing Officer and Appellate Officer may not consider any such statement made during IR process) should the parties resume the Formal Grievance Process.
- vi. Withdrawal from IR Participation – At any point prior to signing the IR Agreement, each party has a right to withdraw from the IR process, and separately, initiate or resume the Formal Grievance Process or Alternative Formal Grievance Process for Students (as outlined in Section D.4.i and D.4.k with respect to the Formal Complaint).
- The IR Agreement, if signed, will be retained, as outlined in Grievance Process Documentation and Record Retention, Section D.4.n of this Policy.
- vii. Informal Resolution Timeframe - Informal Resolutions (IR) of a complaint will be concluded within 45 days of notice to OTIXEO that both parties wish to proceed with the Informal Resolution process. Such notice that the parties wish to

proceed with an IR process will “pause” the counting of the Investigation and Grievance Process timeframes, as outlined in Section D.4.g(vii) and D.4.o of this Policy. Further, should the IR process fail, the Investigation and Grievance Process timeframes will resume accordingly.

- viii. Informal Resolution Documentation - The IR agreement, if signed, will be retained for seven (7) years as required by law, and as outlined in Grievance Process Documentation and Record Retention Section D.4.n of this policy).

g. Investigation of the Formal Complaint – Gathering of Evidence – After written notice of the formal complaint and the allegations has been provided to the parties, the investigation will include the following:

- i. Complainant Intake – The investigator(s) will attempt to interview the Complainant to gather relevant evidence regarding the formal complaint allegations.
- ii. Response by Respondent – After UTRGV provides written notice of a formal complaint to the parties, the Respondent will be provided a reasonable time to respond to the formal complaint allegations.
- iii. Identifying Witnesses – The parties may identify relevant witnesses to the formal complaint allegations and who can provide relevant evidence for the investigation.
- iv. Notice of Meetings – The investigator or designee will provide written notice to a party or witness whose participation is invited or expected of the date, time, location, participants, and purpose of any meetings, investigative interviews, or other proceedings in the grievance process.
- v. Evidence and Deadlines – The parties may present any information, statements, and evidence that is relevant to the formal complaint allegations, and may have an advisor of their choice attend any related interview, meeting, or proceeding in the grievance process. Advisors are not permitted to actively participate in meetings or proceedings in the grievance process, unless explicitly authorized by this policy. The parties may present the names of any fact or expert witnesses who may provide relevant information, and how the witnesses may be relevant to the formal complaint. The parties may submit relevant questions to the investigator(s) that they would like to ask of the other party or any known potential witnesses. The parties will be notified of deadlines to submit evidence in a reasonable timeframe. Evidence is relevant when it is 1) directly related to the alleged conduct at issue in the formal complaint and within the scope of the investigation as part of the formal grievance process under this Policy and 2) may aid in showing whether or not the alleged conduct occurred.

- vi. Party and Witness Interviews – The investigators will attempt to interview relevant and available witnesses and collect and review other evidence. Neither the Complainant nor the Respondent will normally attend these interviews; however, if either one is permitted to attend, the other shall have the same right.
- vii. Investigation Timeframe – The investigation of a Formal Complaint (outlined in Section D.4.g of this Policy) will be concluded within 90 days of the filing of the Formal Complaint. UTRGV through OTIXEO will provide updates on the progress of the investigation, as needed or requested.
- viii. Access to Evidence – Prior to the completion of the investigation report, the investigator will notify both parties (and the party's advisor, if any, upon a party's signed information release for their advisor of choice) that they have 10 days to inspect, review, and respond to the evidence obtained as part of the investigation (whether relevant or not). All responses to the evidence must be submitted by the party in writing to the investigator. Advisors are not permitted to submit written responses to the evidence on their own or on behalf of the party they are advising. The investigators will consider all timely responses submitted by the parties.
- ix. Completed Investigation Report - The investigator will have 14 days after receipt of all comments to complete the investigation report.

1. Sexual Harassment under Title IX and student Sexual Harassment cases - Investigative Report

The completed investigation report will outline each of the allegations that potentially constitutes prohibited conduct under this policy, provide the timeline (e.g. procedural steps) of the investigation, and fairly summarize relevant evidence, participant statements, and responses to questions. The investigator will provide a completed investigation report concurrently to both parties (and each party's advisor, if any, upon a party's signed information release for their advisor of choice) at least 10 days prior to the date of the scheduled hearing to review and provide a written response at the hearing. A copy of the completed investigation report will be issued to the Title IX Coordinator, the hearing officer, and the University Representative assigned to a hearing, if applicable.

2. All other cases except Sexual Harassment under Title IX or student Sexual Harassment cases – Investigative Report

- a. The completed investigation report will include a preliminary determination of whether the Respondent violated each policy provision at issue and an accompanying rationale for that

preliminary determination. The report will outline each of the allegations that potentially constitutes prohibited conduct under this policy, provide the timeline (e.g. procedural steps) of the investigation, fairly summarize relevant evidence, participant statements, and responses to questions.

- b. The investigator will provide the preliminary investigation report concurrently to both parties and each party's advisor, if any, upon a party's signed information release for their advisor of choice. Each party has five (5) days to provide comments to the report. The investigation report and any comments will also be referred to the Office of Student Rights and Responsibilities, the Human Resources Office Department Head (for staff, visitors, volunteers) and the Dean of the College (for faculty) (Administrative Official).
- c. The applicable Administrative Official will conduct an independent review of the investigation report in consultation with the supervisor(s), if applicable, and 10 days from receipt of comments, will:
 - i. Accept the preliminary determination regarding responsibility of the Respondent and either dismiss the case (e.g. no finding(s) of policy violation(s)) or proceed to adjudication (e.g. finding(s) of policy violation(s)), when applicable;
 - ii. Amend the preliminary determination regarding responsibility of the Respondent and proceed to adjudication (if applicable); or
 - iii. Remand the process back to the investigation stage to address an investigation concern.

h. Standard of Evidence & Presumption of Not Responsible

All formal grievance processes will use the preponderance of the evidence standard, which means (for the purpose of this policy) the greater weight of the credible evidence. This standard is satisfied when the action is deemed more likely to have occurred than not. By law, it is presumed that the Respondent is not responsible for the alleged conduct unless that determination regarding responsibility is made at the conclusion of the formal grievance process.

- i. Sexual Harassment Complaint Hearing - Determination of Responsibility – Absent a formal complaint dismissal or the parties’ decision to reach an informal resolution (IR) agreement (if applicable), UTRGV will provide a live hearing for all formal complaints subject to the formal sexual harassment complaint grievance process in this policy.
 - i. Applicability - The Sexual Harassment Complaint Hearing process outlined herein is applicable in the following situations:
 - 1. **Students** - When the Respondent is a student (including student employees whose employment is conditioned on student status)² at UTRGV at the time of the alleged conduct and when the conduct alleged includes Sexual Harassment, as a possible policy violation under this policy. The alternative grievance process in Section D.4.k(i) of this policy applies in instances where the Respondent is a student at the time of the alleged conduct and where the conduct alleged does not include Sexual Harassment (as a possible policy violation), but the alleged conduct includes one or more other forms of prohibited conduct (as possible policy violations under this policy).
 - 2. **Employees (Faculty and Staff)** - When the Respondent is an employee and all of the conditions below are met; in all other circumstances, allegations of sexual misconduct will be handled in accordance with Section D.4.k.(v).
 - a. The Respondent is an employee at UTRGV at the time of the alleged conduct;
 - b. The conduct alleged includes Sexual Harassment as a possible policy violation under this policy;
 - c. The alleged conduct occurred against a person in the United States; and
 - d. Where the Complainant was participating or attempting to participate in an education program or activity at UTRGV. This element is met if the conduct occurred in any of the following: on any University property; during any University activity; in a building owned or controlled by a student organization that is officially recognized by the University; or in instances where the University exercised substantial

² Respondents who are both students and employees are treated as students under this policy.

control over the Respondent and the context in which the alleged conduct occurred.

In circumstances where an employee is alleged of Sexual Harassment and another policy violation of any kind, the University has discretion as to whether the Non-Sexual Harassment allegations will be subject to the Formal Grievance Process (outlined in this Policy) or another institutional grievance process.

3. **Other Affiliations** - For formal Complaints against third parties, such as contracted workers, volunteers, or visitors, the University will apply the analysis of D.4(k)(v) with regard to employees and may apply other institutional policies to those Respondents if the formal grievance process, outlined in this policy, does not apply.
- ii. Written Notice of the Hearing - OTIXEO will provide at least 10 days written notice to participants of the hearing (and the participant's advisor, if any, upon a participant's signed information release for their advisor of choice), including the date, time, location, names of all known participants of the hearing (including the hearing officer, University Representative, all parties and relevant witnesses), purpose of the hearing, a statement of the alleged conduct charges, and a summary statement of the relevant evidence gathered. The hearing notice may also provide a deadline by which the University Representative and the parties have an opportunity to disclose (1) the names of any witnesses they intend to call to testify at the hearing, if any, and (2) a copy of any documents they intend to use as exhibits at the hearing, not already included in the investigation report, if any.
 - iii. Challenges to the Hearing Officer - Either party may challenge the fairness, impartiality or objectivity of a hearing officer. The challenge must be submitted in writing to the hearing officer with a copy to OTIXEO within four (4) days after notice of the identity of the hearing officer and must state the reasons for the challenge. The hearing officer will be the sole judge of whether he or she can serve with fairness, impartiality, and objectivity. The hearing officer will decide whether they will serve as the hearing officer and will inform both parties and OTIXEO within two (2) days of the date of the challenge. If the hearing officer recuses themselves, an alternative hearing officer will be assigned in accordance with the institution's procedures.
 - iv. Hearing Officer Duties at the Hearing - The hearing will ensure, with the assistance of OTIXEO, that the hearing is recorded in audio or audiovisual format. The recording or transcript, if applicable, will be available for the parties to inspect and review, upon request.

The hearing officer will rule on all procedural matters and on objections regarding exhibits and testimony of participants at the hearing, may question participants who testify at the hearing, and is entitled to have the advice and assistance of legal counsel from the Office of General Counsel of the UT System.

- v. Access to Evidence - Both parties (and the party's advisor, if any, upon a party's signed information release for their advisor of choice) will have access to all evidence from the investigation, including a copy of the completed investigation report, as outlined in Section D.4.g in this policy.
- vi. Separate Rooms and Virtual Participation - At the request of either party, UTRGV will provide the hearing to occur with the parties located in separate rooms with technology enabling the hearing officer and the parties to simultaneously see and hear the participants answering questions. Participants may appear at the hearing virtually and are not required to be physically present at the same physical location of the hearing. UTRGV may choose to conduct a hearing virtually.
- vii. Decorum - To promote civility, respect, and participation in hearings, the rules of decorum will be determined and conducted under the authority of the Hearing Officer. The rules apply equally to all hearing participants and attendees. It is expected that all participants and attendees will act in a respectful manner at the hearing. Failure to comply with the rules of decorum may result in its own disciplinary action.

Indecorous conduct at the hearing, may include but is not limited to:

1. Language or behavior that unreasonably interferes with one's participation in the hearing;
2. Using gratuitous abusive language (e.g. name-calling, insults) toward individuals in the hearing;
3. Using gratuitous profanity (e.g. swear words) in the hearing not relevant to the facts;
4. Interrupting or talking over other participants in the hearing;
5. Engaging in noisy outbursts or side conversation that unreasonably delays or interrupts the hearing (Note: Participants may request a break, as needed);
6. Acting in a manner solely to harass, humiliate, or embarrass an individual in the hearing; or

7. Physically invading an individual's personal space at the hearing. Personal space intrusion occurs when an individual unnecessarily enters or remains within another person's immediate physical area in a manner that a reasonable person would consider unwelcome, intimidating, or disruptive to professional interaction.
- viii. Opening and Closing Arguments - The University Representative and the parties may make opening and closing statements at the hearing. The hearing Officer may impose time limits for opening and closing statements, which would apply equally to the University Representative and the parties.
- ix. Evidence and Exhibits - The investigation report and all exhibits are automatically part of the hearing record and may be considered by the hearing officer unless the hearing officer rules otherwise.

The provisions in this policy regarding relevant evidence, Privileged Information and Records Excluded, and Prior Sexual History Excluded apply for the hearing and the determination regarding responsibility of the Respondent's alleged conduct charges.

- x. Privileged Information and Records Excluded - No person will be required to disclose information protected by a legally recognized privilege. The hearing officer must not allow evidence or rely upon any questions or evidence that may require or seek disclosure of such information, unless the person holding the privilege has voluntarily waived the privilege. This includes information protected by the attorney-client privilege and records made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of the person's treatment.
- xi. Advisor of Choice - Each party and witnesses may have an advisor of their choice at any meetings, investigative interviews, or other proceedings in the grievance process. If a party does not have an advisor, UTRGV will provide one. Advisors are not permitted to actively participate in the hearing, except for asking relevant questions of the other party and any other witnesses at a live hearing. If a Complainant or Respondent does not have an advisor for the live hearing, UTRGV will provide one for that party without charge for the purpose of questioning participants at the live hearing.
- xii. Questioning of the Participants in the Hearing - The hearing officer may, at the hearing officer's discretion, ask relevant questions during the hearing of any party or witness and may be the first person to ask questions of any party or witness. The parties will not be permitted to personally ask questions of the other party or any witnesses that participate in the hearing. Instead, the parties' advisors and the University Representative may ask relevant questions and follow-up

questions of the parties and witnesses that participate in the hearing, including questions that challenge credibility. Each advisor can ask questions directly, orally, and in real time at the hearing.

All questions posed by anyone other than the hearing officer must be deemed relevant by the hearing officer before a party or witness answers:

1. When the hearing officer deems a question as unclear, the hearing officer may ask the questioner to clarify or revise the question before ruling as to whether the question is relevant for answering;
2. Irrelevant questions will be excluded, and the Hearing Officer will state the reason such question is irrelevant;
3. When a party or witness is absent from the hearing or does not respond to relevant questions during the hearing, the hearing officer must not draw an inference about whether the alleged conduct occurred based solely on the person's absence or non-response to such questions.

xiii. Prior Sexual History - A Complainant's sexual predisposition or prior sexual behavior are not relevant except where questions and evidence about a Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the alleged conduct charged by the Complainant or if the questions or evidence concern specific incidents of the Complainant's prior sexual behavior with the Respondent and are offered to prove the Complainant's consent of the alleged conduct.

xiv. Hearing Officer Determination - Within 21 days after the conclusion of the hearing, the hearing officer will issue a written determination and will email a copy of the written determination concurrently to the parties, to Student Rights and Responsibilities (for Student Respondents), to the Office of Human Resources and appropriate supervisor (for Staff, Visitors or Volunteer Respondents), to the College Dean (for Faculty Respondents) and the Title IX Coordinator. The determination must include the following:

1. Outline each of the formal complaint allegations that potentially constitutes prohibited conduct under this policy;
2. A description of all of the procedural steps of the formal grievance process under this policy (from receipt of a formal complaint to the determination regarding responsibility of the Respondent, including any notifications of the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held);

3. Evaluate the relevant evidence;
4. Assess credibility of the relevant evidence from the parties and witnesses (if in dispute to the formal complaint allegations);
5. Include the finding(s) or no findings(s) of policy violations for each applicable allegation and the related rationale for the determination as to whether the Respondent is responsible for each allegation, based on the preponderance of the credible evidence;
6. Outline the disciplinary sanctions, if applicable;
7. If applicable, possible sanctions and remedies for Student Respondents:
 - a. Educational training;
 - b. No shared classes or extra-curricular activities;
 - c. Disciplinary probation;
 - d. Withholding of grades, official transcript, or degree;
 - e. Bar against readmission, bar against enrollment, drop from one or more classes, or withdrawal from UTRGV;
 - f. Suspension of rights and privileges, including but not limited to participation in athletic or extracurricular activities;
 - g. Denial of degree;
 - h. Suspension from UTRGV for a specific period of time. Suspension is noted on the academic transcript with the term "Disciplinary Suspension." The notation can be removed upon the request of the student in accordance with the UTRGV's procedures when all conditions of the suspension are met;
 - i. Expulsion (permanent separation from UTRGV). Expulsion creates a permanent notation on the student's academic transcript;
 - j. Revocation of degree and withdrawal of diploma; or
 - k. Other sanction(s) or remedies as deemed appropriate under the circumstances.
8. If applicable, possible sanctions and remedies for Employee Respondents:

- a. Employment probation;
- b. Job demotion or reassignment;
- c. Suspension with or without pay for a specific period of time;
- d. Dismissal or termination;
- e. Ineligible for rehire; or
- f. Other sanction(s) or remedies as deemed appropriate under the circumstances.

9. Whether additional remedies designed to restore or preserve equal access to the education program or activity will be provided to the Complainant; and

10. UTRGV's procedures and permissible bases for the parties to appeal, if applicable.

11. Participants at the hearing may request reasonable accommodations through [Student Accessibility Services](#) (for students) or [Human Resources](#) (for employees) in advance of the hearing. These requests can also be made to the Title IX Coordinator who serves as the UTRGV ADA Coordinator by emailing otixeo@utrgv.edu. Requests for reasonable accommodations at the hearing must be submitted no later than 7 days prior to the scheduled hearing date. For more information about reasonable accommodations, see [ADM 03-200](#), Accommodations for Individuals with Disabilities policy.

- j. Appeals and Additional Processes Provided to Students and Employees as to Formal Sexual Harassment Complaints under Title IX and Cases involving Students alleged of Sexual Harassment under this Policy. As to appeals, if an appeal hasn't been filed by the appeal deadline, then once the deadline expires, the determination regarding responsibility is final and it concludes the formal grievance process for the matter.

- i. Student Appeals

Within 10 days of notice of the determination by the hearing officer, either party may appeal in writing, by email to the President's designee, and must submit a copy of the written appeal to OTIXEO at otixeo@utrgv.edu, and submit a copy to the other party (and that person's advisor, if applicable). For the appeal of a determination regarding responsibility to be considered, the basis for filing an appeal and supporting evidence (if applicable) must be included. The appeal

procedures apply equally for both parties. A party may appeal the determination regarding responsibility of the hearing officer's determination on the basis of:

1. A procedural irregularity that affected the outcome of the matter;
2. There is new evidence that was not reasonably available at the time of the determination regarding responsibility or dismissal was made that could affect the outcome of the matter; or
3. The Title IX Coordinator, investigator(s), or hearing officer had a conflict of interest or bias for or against the parties (generally, or specifically in this matter) that affected the outcome of the matter.

The non-appealing party (or UTRGV) will have seven (7) days from the notification of an appeal to submit a written statement responding to the appeal. The non-appealing party (or UTRGV) must also submit a copy of the written response to OTIXEO at otixeo@utrgv.edu, and submit a copy to the other party (and that person's advisor, if applicable).

The appeal of the decision of the Hearing Officer will be reviewed solely on the basis of the record from the hearing. The record from the hearing shall consist of the recording of the hearing, the documents admitted in evidence, and the written decision of the Hearing Officer. An appeal regarding procedural irregularity or bias may include review of a response by the appropriate UTRGV official(s).

The President's designee may approve, reject, or modify the decision in question or may require that the hearing be reopened for the presentation of additional evidence and reconsideration of the decision.

The President's designee shall communicate his or her decision to the accused student, the other party, the Dean of Students, and OTIXEO in writing within 21 days after the appeal and related documents have been received. Before rendering a decision on a final determination (or on final sanctions and remedies for a student's administrative disposition), the President's designee will consider all relevant evidence regarding the determination and its appeal. The President's designee will release a written decision concurrently to the parties and to OTIXEO, with one of the following final determinations:

1. Affirm the hearing officer's determination regarding the Respondent's responsibility and affirm the disciplinary sanctions and remedies, if applicable;

2. Affirm the hearing officer's determination regarding the Respondent's responsibility and amend the disciplinary sanctions and remedies, if applicable;
3. Reverse the hearing officer's determination of the Respondent's responsibility and amend the disciplinary sanctions and remedies, if applicable; or
4. Affirm or amend the sanctions and/or remedies outlined under this Policy.

The decision of the President's designee is the final appellate review, and it concludes the formal grievance process.

ii. Staff Appeals

Within 10 days of notice of the determination by the hearing officer, either party may appeal in writing, be email to the division head or designee ("Division Head"), and must submit a copy of the written appeal to OTIXEO at otixeo@utrgv.edu, and submit a copy to the other party (and that person's advisor, if applicable). For the appeal of a determination regarding responsibility to be considered, the basis for filing an appeal and supporting evidence (if applicable) must be included. The appeal procedures apply equally for both parties. A party may appeal the determination regarding responsibility of the hearing officer's determination on the basis of:

1. A procedural irregularity that affected the outcome of the matter;
2. There is new evidence that was not reasonably available at the time of the determination regarding responsibility or dismissal was made that could affect the outcome of the matter; or
3. The Title IX Coordinator, investigator(s), or hearing officer had a conflict of interest or bias for or against the parties (generally, or specifically in this matter) that affected the outcome of the matter.

The non-appealing party (or UTRGV) will have seven (7) days from the notification of an appeal to submit a written statement responding to the appeal. The non-appealing party (or UTRGV) must also submit a copy of the written response to OTIXEO at otixeo@utrgv.edu, and submit a copy to the other party (and that person's advisor, if applicable).

The appeal of the decision of the Hearing Officer will be reviewed solely on the basis of the record from the hearing. The record from the hearing shall consist of

the recording of the hearing, the documents admitted in evidence, and the written decision of the Hearing Officer. An appeal regarding procedural irregularity or bias may include review of a response by the appropriate UTRGV official(s).

The employee will also deliver a copy of the appeal and all attachments to the Office of Human Resources.

The Division Head may approve, reject, or modify the decision in question or may require that the hearing be reopened for the presentation of additional evidence and reconsideration of the decision.

The Division Head shall communicate his or her decision to the accused employee, the other party, Office of Human Resources and OTIXEO, within 21 days after the appeal and related documents have been received. Before rendering a decision on a final determination, the Division Head will consider all relevant evidence regarding the determination and its appeal. The Division Head will release a written decision concurrently to the parties and to OTIXEO, with one of the following final determinations:

1. Affirm the hearing officer's determination regarding the Respondent's responsibility and affirm the disciplinary sanctions and remedies, if applicable;
2. Affirm the hearing officer's determination regarding the Respondent's responsibility and amend the disciplinary sanctions and remedies, if applicable;
3. Reverse the hearing officer's determination of the Respondent's responsibility and amend the disciplinary sanctions and remedies, if applicable; or
4. Affirm or amend the sanctions and/or remedies outlined under this Policy.

The decision of the Division Head is the final appellate review and it concludes the formal grievance process.

iii. Faculty Appeals

Within 10 days of notice of the determination by the hearing officer, either party may appeal in writing, emailed to the Academic/Health Division Head, and must submit a copy of the written appeal to OTIXEO at otixeo@utrgv.edu, and submit a copy to the other party (and that person's advisor, if applicable). For the appeal

of a determination regarding responsibility to be considered, the basis for filing an appeal and supporting evidence (if applicable) must be included. The appeal procedures apply equally for both parties. A party may appeal the determination regarding responsibility of the hearing officer's determination on the basis of:

1. A procedural irregularity that affected the outcome of the matter;
2. There is new evidence that was not reasonably available at the time of the determination regarding responsibility or dismissal was made that could affect the outcome of the matter; or
3. The Title IX Coordinator, investigator(s), or hearing officer had a conflict of interest or bias for or against the parties (generally, or specifically in this matter) that affected the outcome of the matter.

The non-appealing party (or UTRGV) will have seven (7) days from the notification of an appeal to submit a written statement responding to the appeal. The non-appealing party (or UTRGV) must also submit a copy of the written response to OTIXEO at otixeo@utrgv.edu, and submit a copy to the other party (and that person's advisor, if applicable).

The appeal of the decision of the Hearing Officer will be reviewed solely on the basis of the record from the hearing. The record from the hearing shall consist of the recording of the hearing, the documents admitted in evidence, and the written decision of the Hearing Officer. An appeal regarding procedural irregularity or bias may include review of a response by the appropriate UTRGV official(s).

The Academic/Health Division Head may approve, reject, or modify the decision in question or may require that the hearing be reopened for the presentation of additional evidence and reconsideration of the decision.

The Academic/Health Division Head shall communicate his or her decision to the accused faculty member, the other party, and OTIXEO in writing within 21 days after the appeal and related documents have been received. Before rendering a decision on a final determination, the Academic/Health Division Head will consider all relevant evidence regarding the determination and its appeal. The Academic/Health Division Head will release a written decision concurrently to the parties and to OTIXEO, with one of the following final determinations:

1. Affirm the hearing officer's determination regarding the Respondent's responsibility and affirm the disciplinary sanctions and remedies, if applicable;

2. Affirm the hearing officer's determination regarding the Respondent's responsibility and amend the disciplinary sanctions and remedies, if applicable;
3. Reverse the hearing officer's determination of the Respondent's responsibility and amend the disciplinary sanctions and remedies, if applicable; or
4. Affirm or amend the sanctions and/or remedies outlined under this Policy.

The decision of the Academic/Health Division Head is the final appellate review and it concludes the formal grievance process.

k. Alternative Grievance Process for Sexual Misconduct Complaints

- i. Student Alternative Grievance Process - For formal complaints where the Respondent is a student at the time of the alleged conduct (including student employees in positions that require student status), where the findings of responsibility proceed to the adjudication stage, the applicable parties will receive an administrative disposition outlining the policy violation(s) and applicable adjudication options based on violation type as either sexual misconduct violations or non-sexual misconduct violations:

The administrative disposition will:

1. Outline each of the Formal Complaint allegations that potentially constitutes prohibited conduct under this policy;
2. Identify the policies and procedures that UTRGV used for the formal grievance process;
3. Include the evaluation of the relevant evidence;
4. Include the credibility assessment of the relevant evidence from the parties and witnesses (if in dispute to the formal complaint allegations);
5. Include the finding(s) of policy violation(s) for each applicable allegation and the related rationale for the determination of each allegation based on the preponderance of credible evidence;
6. Outline the disciplinary sanctions, and remedies (if applicable); and
7. The applicable adjudication options based on violation type.

- ii. Sexual Misconduct Violations: When a finding of policy violations includes sexual misconduct violations that does not rise to the level of a type of Sexual Harassment (such as involving Sex Discrimination, Other Inappropriate Sexual Conduct or Sexual Exploitation), the Respondent and Complainant may elect one of the following:

1. Accepting the Administrative Disposition: Both parties agree to the determination of responsibility for each of the applicable allegations, the sanctions, and remedies outlined in an administrative disposition, and waive the option of a hearing;

If both parties select this option, then the administrative disposition will be final and there will not be any subsequent adjudication proceedings regarding the allegations.

The Respondent will receive the final administrative disposition, and a copy of the final administrative disposition will be issued to the Title IX Coordinator as well by email to otixeo@utrgv.edu.

2. Respondent Disputes Sanctions in the Administrative Disposition: Both parties agree to the determination of responsibility for the finding(s) of policy violation(s), but the Respondent disputes and appeals (in writing) the sanctions or remedies outlined in the administrative disposition, and waives the option of a hearing;

If either party chooses this option, then any party may appeal the sanctions or remedies outlined in the administrative disposition, using the appeals process in Section D.4.j of this Policy.

3. Selecting a Live Hearing: See Live Hearing, Section D.4.k(iv) of this policy.

If both parties decline to respond to the administrative disposition by the designated deadline, a live hearing will proceed accordingly. See Live Hearing, Section D.4.k(iv) of this policy.

- iii. Non-Sexual Misconduct Violation(s) - When a finding of policy violation(s) doesn't include sexual misconduct violations but are findings of policy violations applicable for students under this policy (such as Retaliation, False Information/False Complaints, or Interference with the Grievance Process), the Respondent may elect one of the following adjudication options:

1. Accepting the Administrative Disposition – The Respondent agrees to the Respondent's determination of responsibility for the finding(s) of policy violation(s), the sanctions, and remedies outlined in the administrative

disposition, and waives the option of a hearing. By selecting this adjudication option, the administrative disposition will be final and concludes the formal grievance process for the matter.

The Respondent will receive the final administrative disposition, and a copy of the final administrative disposition will be issued to the Title IX Coordinator as well by email to otixeo@utrgv.edu.

2. Respondent Disputes Sanctions in the Administrative Disposition – The Respondent agrees to the determination of responsibility for the finding(s) of policy violation(s), but the Respondent disputes and appeals the sanctions and remedies outlined in the administrative disposition, and waives the option of a hearing. See Appeals, Section D.4.i of this Policy.
 3. Selecting a Live Hearing. Only if suspension or expulsion (or deferred suspension) is included in the outlined sanctions of the administrative disposition, then a live hearing will be offered as an alternative to accepting all or parts of the administrative disposition. See Live Hearing, Section D.4.k(iv) of this Policy. Otherwise, this adjudication option will not be available.
- iv. Live Hearing - If the Respondent or Complainant selects a hearing (when available as an adjudicative option), then the administrative disposition is disregarded, and the determination regarding the Respondent's responsibility and sanctions (if applicable) will be made by an impartial hearing officer. The hearing procedures in Section D.4.j will apply, with the following exception:
1. Procedure for Questioning Participants³: The hearing officer may, at the hearing officer's discretion, ask questions during the hearing of any party or witness and may be the first person to ask questions of any party or witness. Each party may ask relevant questions of any witness at the hearing, except that cross-examination questions of the other party must be submitted in writing to the hearing officer. The hearing officer will then ask relevant cross-examination questions of the other party and allow for relevant follow-up questions (if applicable). Advisors are not permitted to ask any questions of the parties or witnesses at the hearing.
- v. Alternative Grievance Process for Staff and Faculty - If the Administrative Official concludes that the policy was violated, in cases not involving Sexual Harassment

³ Subsection D.4.i.i.xii does not apply when a hearing is conducted under Section D.4.i.i.xiv of this Policy.

under Title IX, the matter of disciplinary action will be heard in accordance with the applicable disciplinary policies. UTRGV will strive to ensure that the steps it takes to provide due process to the Respondent will not restrict or delay the supportive measures provided to the alleged victim. The Family Educational Rights and Privacy Act (FERPA) does not override federally protected due process rights of a Respondent.

- I. Interim Measures of Emergency Removal, Employee Administrative Leave, or Employee Alternative Work Assignment - Once a formal complaint is filed, UTRGV may determine if emergency removal (if a student) or employee administrative leave or an alternative work assignment (if an employee) are necessary, depending on the facts and circumstances of a matter applicable under this policy. These actions may be kept in place through the conclusion of a grievance process.

- i. Emergency Removal (students) - A Student Respondent may be removed from UTRGV's education program or activity on an emergency basis if, after an individualized safety and risk analysis, it is determined that such a removal is justified because the Respondent poses an immediate threat to the physical health or safety of an individual arising from the allegations of sexual misconduct.

An emergency removal may include, but is not limited to, temporarily suspending the right of the Student Respondent to:

- a. Access specific campus areas or buildings;
 - b. access specific programs (e.g. athletics/intramural activities, student organizations, departments);
 - c. be on campus entirely and accessing classes in person; among others.

At the discretion of UTRGV, the Student Respondent may be permitted to pursue alternative coursework options to ensure as minimal academic impact as possible.

Under these circumstances, the Respondent will be notified in writing of the emergency removal from UTRGV's education program or activity by the Dean of Students, and the Respondent will have an opportunity to challenge the decision following the emergency removal by directing the challenge within 1 day of receipt of the notification to the Dean of Students. The Dean of Students will respond within 2 days. The Dean of Students decision is final.

- ii. Employee Administrative Leave or Alternative Work Assignment - An Employee Respondent may be placed on administrative leave (e.g. investigative leave) or an

alternative work assignment, in accordance with UTRGV's policy and procedures, during the pendency of a grievance process, as outlined in this policy.

m. No Effect on Pending Personnel or Academic Actions Unrelated to the Complaint -

The filing of a complaint under this policy will not stop or delay any action unrelated to the formal complaint, including: (1) any evaluation or disciplinary action relating to a Complainant who is not performing up to acceptable standards or who has violated UTRGV rules or policies; (2) any evaluation or grading of students participating in a class, or the ability of a student to add/drop a class, change academic programs, or receive financial reimbursement for a class; or (3) any job-related functions of a UTRGV employee. Nothing in this section shall limit UTRGV's ability to take interim action.

n. Grievance Process Documentation and Record Retention

UTRGV through OTIXEO will retain all of the documentation included from the resolution of a grievance process under this policy and all training materials for key roles (as outlined in Section D.5 of this policy). The records retention of such documents will be for seven (7) years, in accordance with state and federal records laws and UTRGV policy. All documentation of records is private and confidential to the extent possible under law. Student records of the grievance process are subject to FERPA. Employee records of the grievance process are subject to the Freedom of Information Act (FOIA) and the Texas Public Information Act (TPIA) and included in the employee's official employment record.

o. Formal Grievance Process Timeframe

The entire formal grievance process (outlined in Section D.4 of this Policy, including any appeal) will be completed in no more than 150 days from the filing of the formal complaint.

However, the circumstances may require a temporary delay in this timeframe and UTRGV may extend this timeframe for good cause. In such an instance, UTRGV will provide written notice to the parties of the delay or extension and the reason(s) for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. The time period in this section does not include the period the parties attempted but failed to reach an agreement in the Informal Resolution Process, if applicable, and in such a case, the grievance process timeframe will be extended by the period the parties attempted to reach an Informal Resolution (outlined in Section D.4.f of this Policy).

Failure of UTRGV to adhere to the timeframes above will not result in a dismissal of the matter; instead, if UTRGV does not adhere to any of the above timeframes, the parties may inquire about the delay to the Title IX Coordinator.

5. *Dissemination of Policy and Educational Programs*

- a. Policy Notice and Dissemination - This policy and UTRGV's Title IX Notice of Nondiscrimination on the Basis of Sex will be made available to all UTRGV administrators, faculty, staff, and students [online](#) and in UTRGV publications, such as student catalogs and any other required publications. Periodic notices will be sent to UTRGV administrators, faculty, staff and students about UTRGV's Sexual Misconduct policy. The notice will include information about sexual misconduct, retaliation, and other prohibited conduct under this policy, in addition to how to file a report or a formal complaint, the UTRGV grievance process under this policy, and available supportive measures and resources, such as support services, health, and mental health services, including, but not limited to, at the beginning of each fall and spring semester. The notice will specify the right to file a complaint under this policy and with law enforcement and will refer individuals to designated offices or officials for additional information.
- b. Ongoing Trainings - UTRGV's commitment to raising awareness of the dangers of sexual misconduct includes offering ongoing education through annual training and lectures by faculty, staff, mental health or behavioral health professionals, or trained UTRGV personnel. [Prevention education](#) and training programs will be provided to UTRGV administrators, faculty, staff, and students and will include information about primary prevention, risk reduction, and bystander intervention.
- c. Training Materials for Key Roles in the Grievance Process - All Title IX Coordinators, Deputy Coordinators, investigators, and those with authority over Sexual Misconduct hearings and appeals shall receive training each academic year about applicable prohibited conduct, grievance processes, due process, and UTRGV policies related to Sexual Misconduct. All training materials used to train Title IX-related personnel (e.g. Title IX Coordinators, deputies, investigators, hearing officers, and appellate officers, among others), will be made available on UTRGV's [website](#).

E. Definitions of Conduct Violations under this Policy.⁴

Prohibited conduct under this policy includes: (a) Sexual Misconduct: Sex Discrimination; Sexual Harassment; Sexual Assault; Domestic Violence; Dating Violence; Stalking; Sexual Exploitation; Other Inappropriate Sexual Conduct and Unprofessional Sexual Conduct; and (b) Non-Sexual

⁴ The definitions provided in the main body of the text are the definitions adopted by UTRGV. When applicable, the state law definition is included in the respective definition's footnote for the information of the reader. In any criminal action brought by law enforcement, the state law definition will apply.

Misconduct: Retaliation; Failure to Report for a Responsible Employee; Interference with the Grievance Process; and False Information and False Complaints.

Violations of prohibited conduct under this Policy will be investigated and adjudicated in accordance with this Policy.

Sexual Misconduct Violations are as follows:

1. Dating Violence⁵ - 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 by the victim with consideration of the following factors:
 - a. The length of the relationship;
 - b. The type of relationship; and

⁵ Dating Violence is defined by the Texas Family Code, Section 71.0021 as:

- (a) 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 Penal Code, Section 22.01 provides the criminal penalties associated with Dating Violence.

- c. The frequency of interaction between the persons involved in the relationship.

Dating violence includes, but is not limited to, physical, sexual, economic, or technological abuse (or the threat of such abuse). It does not include acts covered under the definition of domestic violence.

- 2. Domestic (Family) Violence⁶ - includes felony or misdemeanor crimes committed by a current or former spouse or intimate partner of the victim under the domestic or family violence laws of the State of Texas, including the use or attempted use of physical abuse or sexual abuse, or a pattern of any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim, including verbal, psychological, economic, or technological abuse that may or may not constitute criminal behavior, by a person who:

- i. is a current or former spouse or intimate partner of the victim, or a person similarly situated to a spouse of the victim;
- ii. who shares a child in common with the victim;
- iii. is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner; or
- iv. commits acts against an adult or youth victim who is protected from those acts under the domestic or family violence laws of the State of Texas.

Domestic Violence, under this policy, cannot be committed by a person who is simply living together and cohabiting as roommates, if the individuals were not current or former spouses or intimate partners.

⁶ Family Violence is defined by the Texas Family Code Section 71.004 as:

- (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.

Texas Penal Code Section 22.01 provides the criminal penalties associated with Domestic (Family) Violence.

3. *Other Inappropriate Sexual Conduct* - Conduct on the basis of sex that does not meet the definition of “sexual harassment” under this policy, but is unwelcome conduct that is objectively offensive and so severe or pervasive that it unreasonably interferes with, limits, or effectively denies a person’s ability to participate in or benefit from a UTRGV program or activity, or adversely affects the terms and conditions of a person’s University employment. Whether the conduct is “on the basis of sex” will be determined by examining the totality of the circumstances, whether a reasonable person subjected to the conduct would construe the conduct as “on the basis of sex”, and whether the individual subject to the conduct construed it as “on the basis of sex.”

Examples of Other Inappropriate Sexual Conduct include, but are not limited to:

- a. Unwelcome sexual advances (including explicit or implicit proposition(s) of sexual contact or activity);
- b. Requests for sexual favors (including overt or subtle pressure);
- c. Gratuitous comments about an individual’s sexual activities or speculation about an individual’s sexual experiences;
- d. Gratuitous comments, jokes, questions, anecdotes, or remarks of a sexual nature about clothing or bodies;
- e. Persistent, unwanted sexual or romantic attention; or
- f. Deliberate, repeated humiliation or intimidation.
- g. Unwelcome intentional touching of a sexual nature;
- h. Deliberate physical interference with or restriction of movement;
- i. Exposure to sexually suggestive visual displays such as photographs, graffiti, posters, calendars or other materials; or
- j. Consensual sexual conduct that is unprofessional and inappropriate for the educational or workplace environment, such as engaging in sex acts in the workplace.

Depending on the nature of a Formal Complaint, the alleged conduct may not violate this policy, but may violate other UTRGV policies including, but not limited to standards of conduct or professionalism policies, [ADM 04-101](#), or the Student Code of conduct, [ADM 02-100](#).

4. *Sex Discrimination* – Occurs when an individual is treated less favorably on the basis of that person’s sex (including gender), which may also include on the basis of sexual orientation, gender identity, or expression, pregnancy or pregnancy-related condition, or a sex stereotype. Sexual harassment, as defined in this policy, is a form of sex discrimination.
5. *Sexual Assault*⁷ - An offense that meets the definition of rape, fondling, incest, or statutory rape:

⁷ Sexual Assault is defined by Texas Penal Code, Section 22.011 as intentionally or knowingly:

- a) Causing the penetration of the anus or sexual organ of another person by any means, without that person’s consent; or

- a. *Rape*: the causing of penetration by cisgender or non-cisgender, 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.
 - b. *Fondling*⁸ - The causing of intentional touching of the clothed or unclothed genitals, buttocks, groin, breasts, or other body parts of another person, without the person's consent, for the purpose of sexual degradation, sexual gratification, or sexual humiliation.
 - c. *Incest*: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - d. *Statutory Rape*: Sexual intercourse with a person who is under the statutory age of consent.
6. *Sexual Exploitation* - Any nonconsensual or abusive conduct that takes sexual advantage of another person for the purposes of sexual arousal or gratification, financial gain, or other personal benefit.

Examples of sexual exploitation include, but are not limited to:

- a. Transmitting, distributing, publishing, or threatening to transmit, distribute, or publish photos, video, audio, or other recordings, images, or generated images of a private and sexual nature, including consensual sexual activity, without the consent of the subject(s);
- b. Taking, making, sharing, or directly transmitting photographs, films, digital images, or generated images of the private body parts of another person without that person's consent;
- c. Prostituting another person;
- d. Surreptitiously watching or knowingly allowing another to surreptitiously watch otherwise consensual sexual activity, without consent;
- e. The intentional removal of a condom or other contraceptive barrier during sexual activity without the consent of a sexual partner;
- f. Threatening to "out" someone based on sexual orientation, gender identity, or gender expression;

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- b) Causing the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or
 - c) Causing 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.

⁸ "Fondling" as defined in 34 CFR 668.46, will be used for the purposes of complying with the Clery Act's crime reporting statistics requirements in the university's annual security report.

- g. Threatening to disclose sensitive details about one's sexual preferences, habits, and/or experiences;
- h. Threatening to expose someone's prior sexual activity to another person; or
- i. Knowingly transmitting a sexually transmitted disease (STD) to another person without the person's knowledge.

7. Sexual Harassment - Conduct on the basis of sex that satisfies one or more of the following:

- a. Quid Pro Quo: An employee of the institution conditioning the provision of an aid, benefit, or service of UTRGV on an individual's participation in unwelcome sexual conduct;
- b. Hostile Environment: Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to UTRGV's education program or activity; or
- c. "Sexual assault," "dating violence," "domestic violence," or "stalking" as defined in this Policy.

Subsections (a) and (c) in this definition are not evaluated for severity, pervasiveness, offensiveness, or denial of equal educational access, because such conduct is sufficiently serious to deprive a person of equal access. Therefore, any instance of Quid Pro Quo sexual harassment and any instance of sexual assault, dating violence, domestic violence, and stalking are considered sexual harassment under this policy.

- For the purposes of Subsection (b) in this definition: "*Effectively denies a person equal access*" is conduct that interferes with, limits, or deprives a person from participating in or benefiting from the University's education or employment programs and/or activities.

8. Stalking⁹ - Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for safety or the safety of others or suffer substantial emotional distress. For the purposes of this definition:

- a. *Course of conduct* - 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

⁹ Stalking as defined by Texas Penal Code, Section 42.072 is when an individual 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:

- a) is considered harassment, or that the actor knows or reasonably should know the other person will regard as threatening:
 - i. bodily injury or death for the other person;
 - ii. 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

means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

- b. *Reasonable person* - a reasonable person under similar circumstances and with similar identities to the victim.
- c. *Substantial emotional distress* - significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

- 9. *Unprofessional Sexual Conduct* - Includes unwelcome sexual advances, requests for sexual favors, or verbal or physical conduct of a sexual nature directed towards another individual in the workplace, classroom, or learning environment that does not rise to the level of sexual harassment or other inappropriate sexual conduct under this policy, but to a reasonable person is unprofessional or inappropriate for that situation and is not protected speech. It also includes consensual sexual conduct that is unprofessional and inappropriate for the workplace, classroom, or learning environment.

Non- Sexual Misconduct Violations:

- 10. *Retaliation* – Any adverse action (including, but is not limited to, intimidation, threats, coercion, harassment, or discrimination) taken against someone either (a) because the individual has made a report or filed a formal complaint; or who has supported or provided information in connection with a report or a formal complaint; participated or refused to participate in a grievance process under this policy; or engaged in other legally protected activities, or (b) for the purpose of interfering with any right or privilege secured under Title IX or this policy.

Any person who retaliates against (a) anyone filing a report or formal complaint under this policy, (b) the parties or any other participants (including any witnesses or any UTRGV employee) in a grievance process relating to a formal complaint, (c) any person who refuses to participate in a grievance process, or (d) against any person who under this policy

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- iii. that an offense will be committed against the other person's property;
 - b) 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
 - c) would cause a reasonable person to:
 - i. fear bodily injury or death for himself or herself;
 - ii. 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;
 - iii. fear that an offense will be committed against the person's property; or
 - iv. feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended.

opposed any unlawful practice, is subject to disciplinary action up to and including dismissal or separation from UTRGV. If any participant in a grievance process believes they have been subject to retaliation (as defined in this policy), they should immediately report the alleged retaliatory conduct to the Title IX Coordinator. A [complaint of retaliation](#) should be immediately reported to the Title IX Officer.

11. *False Information and False Complaints* - Any person, who in bad faith, knowingly files a false complaint under this policy or provides materially false information is subject to disciplinary action up to and including dismissal or separation from UTRGV. A determination that a Respondent is not responsible for allegations of sexual misconduct does not imply a report, formal complaint, or information provided was false. Similarly, a determination that a Respondent is responsible for a policy violation does not imply that a Respondent's statements disclaiming responsibility were false.
12. *Interference with the Grievance Process* - Any person who interferes with the grievance process (outlined in Section D.4 of this Policy) is subject to disciplinary action up to and including dismissal or separation from UTRGV. Interference with a grievance process may include, but is not limited to:
 - a. Attempting to coerce, compel, or prevent an individual from providing testimony or relevant information;
 - b. Removing, destroying, or altering documentation relevant to the grievance process; or
 - c. Knowingly providing false or misleading information to Title IX Coordinator, investigator or hearing officer, or encouraging others to do so.
13. *Failure to Report for Responsible Employees* - If a responsible employee knowingly fails to promptly report to the Title IX Coordinator all information concerning an incident the employee reasonably believes constitutes sexual misconduct (including stalking, dating violence, sexual assault, or sexual harassment) committed by or against a student or employee at the time of the incident, the employee is subject to disciplinary action, including termination.

The duty to report acts reasonably believed to be stalking, dating violence, and sexual harassment arises from state law. UTRGV goes further and requires Responsible Employees to report all acts reasonably believed to be any type of sexual misconduct, as defined in this Policy. It is important to note that for purposes of Failure to Report, the definition of sexual harassment, as defined under state law, is broader than the definition of Sexual Harassment and is defined as: unwelcome, sex-based verbal or physical conduct that:

- i. in the employment context, unreasonably interferes with a person's work performance or creates an intimidating, hostile, or offensive work environment; or

- ii. in the education context, is sufficiently severe, persistent, or pervasive that the conduct interferes with a student's ability to participate in or benefit from educational programs or activities at a postsecondary institution.

Additional Terms and Definitions:

- 14. Complainant - The individual who is alleged to have been subjected to conduct that could constitute prohibited conduct under this policy.
- 15. Confidential Employee - include advocates with OAVP, counselors in Counseling Services, health care providers in Health Services, researchers conducting IRB approved research studies involving student participants, an employee serving as an advisor for a Student Respondent or Student Complainant under this policy, or clergypersons.

Additionally, employees who receive information regarding an alleged incident of sexual misconduct under circumstances that render the employee's communications confidential or privileged under other law (such as attorneys) are also considered "Confidential Employees." This only applies with respect to information received while the employee is functioning within the scope of their duties to which privilege or confidentiality applies.

Note: Under state law, Confidential Employees who receive information regarding incidents of sexual harassment, sexual assault, dating violence or stalking (as defined under state law) committed by or against a student or an employee of UTRGV, are required to report the **type of incident** to the Title IX Coordinator (or Deputy Coordinators). Confidential Employees may not include any information that would violate a student's expectation of privacy. The Confidential Employee's duty to report an incident under any other law also applies.

- 16. Consent - A voluntary, mutually understandable agreement that clearly indicates a willingness to engage in each instance of sexual activity. Silence, in and of itself, cannot be interpreted as consent. Consent to one sexual act does not necessarily imply consent to another. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Consent can be withdrawn at any time. Any expression of an unwillingness to engage in any instance of sexual activity, whether through words or actions, establishes a presumptive lack of consent.

Consent is not effective if it results from: (a) the use of physical force, (b) a threat of physical force, (c) intimidation, (d) coercion, (e) incapacitation or (f) any other factor that would eliminate an individual's ability to exercise his or her own free will to choose whether or not to have sexual activity.

A current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Even in the context of a relationship, there must be a voluntary, mutually understandable agreement that clearly indicates a willingness to engage in each instance of sexual activity.

The definition of consent for the crime of sexual assault in Texas can be found in Section 22.011(b) of the Texas Penal Code.¹⁰

For the purposes of the Consent definition, or as referenced in this policy:

- i. *Physical Force* (or Threat of Physical Force) - The use of physical violence or is physically imposing in a manner that is intended to overcome resistance or elicit consent of another individual to gain sexual access. Physical force also includes the threat of such force.
- ii. *Intimidation* - Unlawfully placing another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- iii. *Coercion* - The use of unreasonable pressure to compel another individual to initiate or continue sexual activity against an individual's will. Coercion can include a wide range of behaviors, including psychological or emotional pressure, physical or emotional threats, intimidation, manipulation, or blackmail that causes the person to engage in unwelcome sexual activity. A person's words or conduct are sufficient to constitute coercion if they eliminate a reasonable person's freedom of will and ability to choose whether or not to engage in sexual activity.
- iv. *Incapacitation* - The inability, temporarily or permanently, to give consent because the individual is mentally and/or physically helpless, either voluntarily or involuntarily, or the individual is unconscious, asleep, or otherwise unaware that the sexual activity is occurring. An individual may be incapacitated if they are unaware at the time of the incident of where they are, how they got there, or why or how they became engaged in a sexual interaction.

¹⁰ Texas Penal Code, Section 22.011(b) states that a sexual assault is without consent 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.

When alcohol is involved, incapacitation is a state beyond drunkenness or intoxication. When drug use is involved, incapacitation is a state beyond being under the influence or impaired by use of the drug. Alcohol and other drugs impact each individual differently, and determining whether an individual is incapacitated requires an individualized determination.

After establishing that a person is in fact incapacitated, the University will ask two questions:

1. Did the person initiating sexual activity know that the other party was incapacitated? and if not,
2. Should a sober, reasonable person in the same situation have known that the other party was incapacitated?

If the answer to either of these questions is “YES,” then consent was absent, and the conduct is likely a violation of this policy.

A Respondent will be found to have violated policy only if the Respondent knew or should have known that the person was incapacitated.

17. Day(s) – business day(s) occurring Monday through Friday, excluding any day that is an official holiday recognized by the institution or when regularly scheduled classes are suspended due to emergent situations.
18. Economic Abuse - in the context of domestic violence and dating violence (sexual misconduct violations under this policy), it means behavior that is coercive, deceptive, or unreasonably controls or restrains a person’s ability to acquire, use, or maintain economic resources to which they are entitled, including using coercion, fraud, or manipulation to:
 - i. restrict a person’s access to money, assets, credit, or financial information;
 - ii. unfairly use a person’s personal economic resources, including money, assets, and credit, for one’s own advantage; or
 - iii. exert undue influence over a person’s financial and economic behavior or decisions, including forcing default on joint or other financial obligations, exploiting powers of attorney, guardianship, or conservatorship, or failing or neglecting to act in the best interests of a person to whom one has a fiduciary duty.
19. Objectively Offensive - In evaluating whether conduct is “objectively offensive,” one considers what a reasonable person would find hostile, intimidating, or abusive.

20. Participants - The term “participants” includes the University Representative, Complainant, Respondent, and any witnesses.
21. Party (or Parties) - The term “party” (or “parties”) refers to the “Complainant” and the “Respondent” under this policy.
22. Pervasive - In evaluating whether conduct is “pervasive,” one considers the type, frequency, and duration of the conduct.
23. Preponderance of the Evidence - The greater weight of the credible evidence. Preponderance of the evidence is the standard for determining allegations of sexual misconduct under this policy. This standard is satisfied if the action is deemed more likely to have occurred than not.
24. Respondent - The individual who has been reported to be the perpetrator of prohibited conduct under this policy. (For UT-affiliated K-12 schools (e.g. charter schools), a parent or legal guardian of a Respondent may act on behalf of the Respondent.)
25. Responsible Employee - A UTRGV employee who has the duty to promptly report incidents of and information reasonably believed to be Sexual Misconduct to OTIXEO. All employees are Responsible Employees except Confidential Employees or police officers when a victim uses a pseudonym form as described within this policy. Responsible Employees include all administrators, faculty, staff, police officers, resident life directors and advisors, and graduate teaching assistants. Responsible Employees must report all known information concerning the incident to the Title IX Coordinator and must include whether a Complainant has expressed a desire for confidentiality in reporting the incident.
26. Severe - In evaluating whether conduct is “severe,” one considers the degree to which the conduct was threatening, harmful, or humiliating.
27. Sexual Misconduct - This term is broadly defined to encompass sex discrimination, sexual harassment, sexual assault, domestic violence, dating violence, stalking, sexual exploitation, sexual violence, other inappropriate sexual conduct, or unprofessional sexual conduct.
28. Technological Abuse - In the context of sexual assault, domestic violence, dating violence, or stalking (Conduct Violations defined in this Policy), means an act or pattern of behavior that is intended to harm, threaten, intimidate, control, stalk, harass, impersonate, exploit, extort, or monitor, except as otherwise permitted by law, another person, that occurs using any form of technology, including but not limited to: internet enabled devices, online spaces and platforms, computers, mobile devices, cameras and imaging programs, apps, location tracking devices, communication technologies, or any other emerging technologies.

F. Related Statutes or Regulations, Rules, Policies, or Standards

[Title IX of the Education Amendments of 1972, 20 U.S.C. § 1618 et seq., and its implementing regulation at 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex.](#)

[Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§2000e–2000e-17 and its implementing regulations 29 C.F.R. §1604 11.](#)

[Clery Act, 20 U.S.C 1092\(f\) and its implementing regulations 34 C.F.R. Part 668](#)

[FERPA Regulations, 34 C.F.R. Part 99](#)

Texas Labor Code, [Chapter 21, Subchapter C-1: Sexual Harassment §21.141-21.142](#)

[Texas Education Code, Chapter 51, Subchapter E-2: Reporting Incidents of Sexual Harassment, Sexual Assault, Dating Violence, and Stalking §51.251-51.259](#)

[Texas Education Code, Chapter 51, Subchapter E-3: Sexual Harassment, Sexual Assault, Dating Violence, and Stalking §51.281-51.291](#)

[Texas Education Code, Chapter 51, Subchapter Z: Protections for Pregnant and Parenting Students §51.982](#)

[Texas Code of Criminal Procedure, Chapter 56A, Request for Forensic Medical Examination Art. 56A.251](#)

[Texas Code of Criminal Procedure, Chapter 56A, Presence of Sexual Assault Program Advocate Art. 56A.351](#)

[Texas Administrative Code, Title 19, Part 1, Chapter 4, Subchapter X: Parenting and Pregnant Students §4.370-4.376](#)

The University of Texas System Board of Regents' *Rules and Regulations*, [Rule 30105](#), Sexual Harassment, Sexual Misconduct, and Consensual Relationships

The University of Texas System Board of Regents' *Rules and Regulations*, [Rule 31008](#), Termination of a Faculty Member

The University of Texas System Administration Systemwide Policy ([UTS 184](#)), Consensual Relationships

UTRGV *Handbook of Operating Procedures*, [STU 02-100](#) Student Conduct and Discipline

UTRGV *Handbook of Operating Procedures*, [ADM 02-300](#) Speech, Expression, and Assembly

UTRGV *Handbook of Operating Procedures*, [ADM 04-303](#) Discipline and Dismissal of Classified Employees

G. Dates Reviewed or Amended

Reviewed and Amended - August 23, 2017

October, 2018

Reviewed and Amended – January 17, 2019

Reviewed and Amended – January 22, 2020

Reviewed and Amended (non-substantive changes) – January 24, 2020

Reviewed and Amended – July 24, 2020

Reviewed and Amended – October 1, 2021

Reviewed and amended (non-substantive: updated responsible executive) - May 2, 2022

Reviewed and amended (non-substantive) – September 30, 2022

Reviewed and amended (non-substantive: updated responsible executive and department name) – December 12, 2023

Reviewed and amended (non-substantive: department form) – January 11, 2024

Reviewed and amended – August 13, 2026

ASFSR Revisions

Change #	Edit	Reason	Entered By	Date Entered
n/a				