

Investigator Training Summer 2025

System Ethics and Compliance Investigators

Trisha Ford

Justin Oehlke

**How you can ask us questions
throughout the training...**



Learning Objectives

Learning Objectives

- 1. We will be walking you through an example civil rights case to better understand the civil rights investigation process**
- 2. Understand your role as the investigator**
- 3. How to developing a strategic plan for your investigation**
- 4. General timelines of the investigation process**
- 5. How to craft effective interview questions**
- 6. IDR, FDR, FIR**
- 7. Effective report writing**
- 9. Live Mock Hearing**
- 10. OGC Presentation/Q&A**

Role
Impartial
Diligent
Confidential

Role

Impartial

Diligent

Confidential

Role

Impartial

Diligent

Confidential

Reliable

Prompt

**Notice of Investigation (NOI)
sent out to parties**



**Texas A&M University
South Padre**

MEMORANDUM

DATE: February 21, 2025

TO: Emily Rivera
Undergraduate Student, Department of Chemistry
Texas A&M University-South Padre

FROM: Laila Bennett
Compliance Officer
Texas A&M University-South Padre

RE: Civil Rights Complaint (March 28, 2025)

This memorandum serves as notice that I have received your complaint filed on February 14, 2025, pursuant to Texas A&M System Regulation 08.01.01, *Civil Rights Compliance*. Furthermore, Emily Rivera, a student, has been identified as the Complainant, and James Callahan, an employee, has been identified as the Respondent. The term "Complainant" refers to an individual who reported to have experienced prohibited conduct, regardless of whether the individual makes a report or seeks disciplinary action; the term "Respondent" refers to an individual who has been accused of prohibited conduct.

Based on the information we have received, the University is providing this Notice of Allegation(s) and Investigation per System Regulation 08.01.01. The Complainant's allegation(s) are as follows:

1. The Respondent has been sexually harassing the Complainant since the Fall 2024 semester by making inappropriate comments that felt sexual in nature.
2. The Respondent sexually assaulted (fondling) the Complainant by touching her breast while showing signs of sexual arousal on February 3, 2025.

This investigation has been assigned to Jordan Blake, Compliance Investigator (Texas A&M University-South Padre), who will serve as the investigative authority. Investigator Blake will contact you to address the specific details of the complaint, collect and examine documents, interview witnesses, and provide a report on the merits of the allegations to the decision maker.

Dr. Anika Sharma, Dean of the College of Arts and Science, will serve as the decision maker to review the investigation report and render a decision in writing.

The investigative authority will be contacting you to address the specific allegations. The investigation timelines stated in the above-referenced regulation will be followed. Circumstances may warrant extensions to the time frames.

Pursuant to the above-referenced regulation, employees must, and students should, cooperate fully with those performing an investigation, and no employee may retaliate against a person for participating in an investigation. Employees found to have retaliated or intentionally provided false or materially misleading information regarding alleged discrimination under this regulation, may be disciplined, up to and including dismissal.

cc: Dr. Anika Sharma, Decision Maker
Jordan Blake, Investigative Authority



**Texas A&M University
South Padre**

MEMORANDUM

DATE: February 21, 2025

TO: Dr. James Callahan
Professor, Department of Chemistry
Texas A&M University-South Padre

FROM: Laila Bennett
Compliance Officer
Texas A&M University-South Padre

RE: Civil Rights Complaint (March 28, 2025)

This memorandum serves as notice that a complaint was filed on February 14, 2025, pursuant to Texas A&M System Regulation 08.01.01, *Civil Rights Compliance*. Furthermore, Emily Rivera, a student, has been identified as the Complainant, and James Callahan, an employee, has been identified as the Respondent. The term “Complainant” refers to an individual who reported to have experienced prohibited conduct, regardless of whether the individual makes a report or seeks disciplinary action; the term “Respondent” refers to an individual who has been accused of prohibited conduct.

Based on the information we have received, the University is providing this Notice of Allegation(s) and Investigation per System Regulation 08.01.01. The Complainant’s allegation(s) are as follows:

1. The Respondent has been sexually harassing the Complainant since the Fall 2024 semester by making inappropriate comments that felt sexual in nature.
2. The Respondent sexually assaulted (fondling) the Complainant by touching her breast while showing signs of sexual arousal on February 3, 2025.

This investigation has been assigned to Jordan Blake, Compliance Investigator (Texas A&M University-South Padre), and he will serve as the investigative authority. Investigator Blake will contact you to address the specific details of the complaint, collect and examine documents, interview witnesses, and provide a report on the merits of the allegations to the decision maker.

Dr. Anika Sharma, Dean of the College of Arts and Science, will serve as the decision maker to review the investigation report and render a decision in writing.

The investigative authority will be contacting you to address the specific allegations. The investigation timelines stated in the above-referenced regulation will be followed. Circumstances may warrant extensions to the time frames.

Pursuant to the above-referenced regulation, employees must cooperate fully with those performing an investigation, and no employee may retaliate against a person for participating in an investigation.

Employees found to have retaliated or intentionally provided false or materially misleading information regarding alleged discrimination under this regulation, may be disciplined, up to and including dismissal.

cc: Dr. Anika Sharma, Decision Maker
Jordan Blake, Investigative Authority

CARE REPORT

Incident Report – Concerning Behavior

Date of Report: February 6, 2025

Reported By: RA Marcus Lee

Incident Date: Reported on February 6, 2025

Location: Residence Hall Room Chat (Kayla Thompson's Room)

Description Summary:

During routine room chats on Thursday, February 6, 2025, I, RA Marcus Lee, spoke with Resident Kayla Thompson. Resident Thompson shared a concern regarding her roommate, Resident Emily Rivera. According to Resident Thompson, Resident Rivera has recently been experiencing significant stress due to uncomfortable interactions with one of her professors.

Resident Thompson stated that the professor had made “weird” or “creepy” comments toward Resident Rivera and that there was one specific incident on a Monday where Resident Rivera reportedly felt uncomfortable when the professor allegedly touched a coffee stain on her shirt. Resident Thompson did not provide the professor's name and expressed that she was not comfortable sharing more, as she did not have full details or recall all the specifics.

Resident Thompson reported that Resident Rivera has since switched out of the class and may be feeling better. When asked if I could speak with Resident Rivera directly, Resident Thompson informed me that Rivera had gone home for the week and was uncertain about her return.

**Emails from CARE Case
Manager to Complainant
and Email Response from
Complainant back to CARE**

Subject: Checking In – Support and Resources Available

Dear Emily,

I hope this message finds you well. I'm reaching out because a resident assistant shared some general concerns about your well-being and mentioned that you may have experienced a situation that made you uncomfortable in a classroom setting.

Please know that your safety and comfort are extremely important to us. If there is anything you'd like to talk about, or if there's any support you need, I'm here to help connect you with the right resources. You are not required to respond or take any action, but I want you to know that we care and that there are confidential and non-confidential resources available to support you.

If you would like to speak with someone, I can help connect you to:

- **The University Counseling Center** for confidential mental health support
- **The Title IX Office**, if you would like to learn more about your rights or report any behavior that felt inappropriate or made you uncomfortable
- **Academic Support Services**, if switching classes or addressing any academic impacts would be helpful
- **Residential Life**, if you'd prefer to speak with someone you already know on campus

You are in control of how much or how little you choose to share, and you are not alone. I'd be happy to talk with you at a time and in a way that feels comfortable for you—by phone, video call, or in person.

Please feel free to reply to this email or reach out to me directly at care@tamu-sp.edu.

Take care,
Ginger Little
Student Case Manager- CARE
Texas A&M University- South Padre
956-265-5563
glittle@tamu-sp.edu

From: Rivera, Emily
To: care@tamu-sp.edu
Date: February 12, 2025

RE: Checking In – Support and Resources Available

Hi Ms. Little,

Thank you for reaching out. I appreciate you taking the time to check in.

I've been really uncomfortable with how my professor, Dr. Callahan, has been interacting with me since the beginning of the Fall semester. It started with comments that felt inappropriate and sexual in nature, and over time, his behavior has escalated to physical contact that makes me feel extremely vulnerable and unsafe.

In addition to being enrolled in his class (which I've now dropped), I also work under him as a research assistant. I've been seriously considering stepping away from that position because he continues to request my presence in the lab, even though there are other qualified assistants. The environment feels isolating, and I often feel exposed when I'm working there.

One of my biggest concerns is the possibility of retaliation. I'm afraid that if I speak up or decline his requests, he might try to get me removed from the program. I'm in my final two years, and losing progress at this point could threaten my graduation. I really enjoy my major and have had nothing but positive experiences with my other professors—this situation is the exception, but it's taking a toll on me emotionally and academically.

While I do want this behavior to stop, I'm also nervous about people in the department finding out. I met with my academic advisor and have already dropped Dr. Callahan's class, but I'm still unsure about how to proceed regarding the research position and the broader situation.

I'd appreciate any guidance or support you can offer as I think through my next steps.

Sincerely,
Emily Rivera

Junior- Chemistry Major

c/o 2026

Intake



**Texas A&M University
South Padre**

COMPLAINT INTAKE FORM

Date/Time: 2/14/2025, 3:20 PM Intake by: Jessica Hernandez, Case Manager
Name: Emily Rivera UIN: 8675309
Phone: 956-281-4667 Email: erivera@tamu-sp.edu
Preferred Method of Contact: email Gender: female
Role: X Student Faculty Staff Other Date of Birth: 03/27/2004

INCIDENT INFORMATION

Location of Incident: Chemistry Building in lecture hall and research lab
(include address if available)

Date of Incident: 2/03/2025 Time of Incident: approx. 10:00 AM

Discriminatory Animus: sexual harassment
(include specific protected class)

Respondent Name/Role: Dr. James Callahan, Chemistry Professor

Respondent Phone *(if known)*: unknown Email *(if known)*: jcallahan@tamusp.edu

Did the alleged behavior cause the Complainant to fear for their safety or that of others? Yes

Did the alleged behavior cause the Complainant to suffer from substantial emotional distress? Yes

Brief Description of Incident *(include how and why you believe your rights were violated)*:

Respondent has been making "creepy" comments to her since Fall 2024 semester when she started working as research assistant. Makes comments like "that dress would look better on the floor" and commented her shoes "look like stripper shoes." Stands really close to her and has brushed his hand against her thigh. The incident that brought her in was on 2/03/2025 when he pointed out a coffee stain and touched her breast.

Was a Police Report Filed? No If so, which Police Department? N/A

Is the respondent a PI or Co-PI on any current or pending NSF Grants? Yes, Co-PI

The Party requests the following resolution:

| | | | |
|-------------|---------------------|-------------|--|
| <u>X</u> | Investigation | <u> </u> | No Resolution at this time (Report Only) |
| <u> </u> | Informal Resolution | <u> </u> | Undecided/Not Applicable |

The Party requests the following supportive measures:

Personal Support (e.g. Counseling, Housing Relocation, EAP, etc.):

Already working with CARE; intends to continue.

Academic Support (e.g. Tutoring, Retaking Exam/Class, Changing Section, etc.):

Met with advisor and was able to drop his class.

Other Supportive Measures requested (e.g. No Contact Directive):

Still working as his research assistant but would like to discuss options about transferring to another lab.

 The Party requested no support or remedies at this time.

I certify that I met with the above-named Party at this location, date, and time and explained their rights and the information outlined herein and attached. I answered the Party's questions to the best of my knowledge and encouraged them to contact me with additional questions at any time.

| | |
|--|------------------|
| <u>Jessica Hernandez</u> | <u>2/17/2025</u> |
| Signature | Date |
| <u>Jessica Hernandez, Case Manager</u> | |

Printed Name and Title

I certify that I met with the above-named staff member on [DATE] at [TIME]. The staff member gave me a copy of these documents and explained my rights and the information outlined herein. If I had any questions, the staff member answered them to the best of their knowledge.

| | |
|---------------------|------------------|
| <u>Emily Rivera</u> | <u>2/17/2025</u> |
| Signature | Date |
| <u>Emily Rivera</u> | |
| Printed Name | |

**I've reviewed the NOI,
emails, and the Intake now
what should I do?**

Developing a Strategic Plan

08.01

policies.tamus.edu/08-01.pdf

08.01.01

policies.tamus.edu/08-01-01.pdf

Sexual Harassment –

A form of sex discrimination. Unwelcome conduct on the basis of sex (of a sexual nature or otherwise):

(1) by an employee of the member who conditions the provision of an aid, benefit, or service of the member on an individual's participation in that unwelcome sexual conduct;

(2) determined by a reasonable person to be so severe and pervasive and objectively offensive that it effectively denies a person equal access to the member's education program or activity; or

(3) sexual assault or dating violence, domestic violence, or stalking based on sex

Sexual Assault –

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

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

- * Sexual assault is explicitly prohibited under this regulation. Aiding another in the commission of sexual assault is also prohibited under this regulation. Sexual assault is a form of sexual harassment or sex-based misconduct.**

3 Important Parts of Fondling:

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

Private body parts – a person's breast, posterior (butt), groin, and/or genitals.

Sexual Gratification

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

08.01.01

4.2.10 Title IX

08.01.01

4.2.11 Sex-Based Misconduct

08.01.01

**4.2.12 All other Civil Rights
Complaints (Non sex-based)**

Texas A&M University System Regulation 08.01.01

General Timeline and Mechanics for an Investigation

Current Regulation:

| | |
|---|-------------------------|
| Investigative Authority's (IA's) Time to Complete the Initial Draft Report (IDR): | 30 business days |
| Office of General Counsel (OGC)/System Ethics and Compliance Office (SECO) Time to Review IDR: | 10 business days |
| IA's Time to Complete the Final Draft Report (FDR): | 5 business days |
| Time for Party Review of the FDR: | 10 business days |
| IA's Time to Complete the Final Investigative Report (FIR): | 5 business days |
| OGC/SECO's Time to Review the FIR: | 5 business days |
| IA's Time to Make Updates to FIR after OGC/SECO Review and Send to Designated Administrator (DA) | 5 business days |

70 business days

98 Total Calendar Days (Not Including Weekday Closures)

Note Typically the timeline begins when the notice of investigation/complaint is sent to the parties.

Note The timeline may be paused for several reasons (i.e. Informal Resolution) but may resume if IR is unsuccessful.

<https://www.tamus.edu/legal/policy/policy-and-regulation-library/>

**Who should we
interview and in what
order?**

Complainant

Complainant's Witnesses

Respondent

Respondent's Witnesses

Complainant follow-up

Respondent follow-up

Email to Complainant

Good morning, Ms. Emily Rivera,

My name is Jordan Blake, and I am a Compliance Investigator with Texas A&M University – South Padre’s Title IX Office. I am following up on the Notice of Investigation email you should have received from Ms. Bennett on February 21, 2025. I have been assigned to conduct a Texas A&M University System Regulation 08.01.01 (*attached*) investigation based on your complaint against Dr. James Callahan.

I want to conduct an interview with you as soon as possible. I am available to meet Wednesday (02/26/2025) anytime between 9:00 am to 3:00 pm or Friday (02/28/2025) anytime between 9:00 am to 3:00 pm. I believe 1-2 hours should be sufficient time to discuss your allegations and if an additional meeting is necessary, we can always do so. Please select a time from the available options and let me know when you want to meet. Once you respond to me with your choice, I will send you a calendar invitation.

During this interview, I will be asking questions about the allegations mentioned in your complaint. You are welcome to have an advisor with you during this interview per Texas A&M University System Regulation 08.01.01, but it is not mandatory. If you do not have an advisor but would like one assigned to you, please let me know so I can begin the process of obtaining an advisor for you. The advisor cannot answer questions for you, but they can give you advice and support you during the interview. The advisor can be anyone of your choice, including an attorney if you wish. The only person I would caution you about using as an advisor is someone who may need to be interviewed as a witness for this case. If you use a witness as your advisor, it could impact their credibility as a witness because they were present for your interview. If you choose to have an advisor present, please complete and return both of the attached *Third-Party Advisor Agreement – Advisor* and *Party* forms prior to our interview.

In the meantime, if you have any files (i.e., forms, documents, text messages, emails, audio recordings, photographs, videos, etc.) that you would like to have considered during this investigation please send those to me. If the files are too large to email, I can create a shared

folder for you to upload any files so they can be reviewed and considered. It can also be helpful to write down a timeline of all the relevant events for your case. It can be hard to remember specific dates in the middle of an interview, but a timeline can help you stay organized and make sure you don't forget to mention anything important.

I ask that you also complete the attached *SECO Proposed Witnesses List* form which will provide me with a list of those who you believe have relevant information regarding the allegations. Please note that I (the investigative authority) have full discretion regarding which witnesses and questions are used during the investigation, and the witness list and questions you provide are recommendations.

In order to maintain the full integrity of this investigation, please keep this information private and do not share or discuss the content. This includes any future information or content discussed or shared between us. Please review and sign the attached *Admonishment Form* and return prior to our interview.

If you have any questions, please do not hesitate to contact me at (jblake@tamusp.edu).

Thank you,

Jordan Blake | Investigator
Title IX Office

TEXAS A&M UNIVERSITY - SOUTH PADRE

Email to Respondent

Good morning, Dr. James Callahan,

My name is Jordan Blake, and I am a Compliance Investigator with Texas A&M University – South Padre’s Title IX Office. I am following up on the Notice of Investigation email you should have received from Ms. Bennett on February 21, 2025. I have been assigned to conduct a Texas A&M University System Regulation 08.01.01 (*attached*) investigation based on a complaint filed against you by TAMU-SP student Emily Rivera.

The investigation has just begun, and I will begin interviewing shortly, but I wanted to send an initial email to introduce myself and provide you with a few documents. I will want to conduct an interview with you as soon as possible to provide you with an opportunity to respond to the allegations listed in the complaint, but I need to speak with Ms. Rivera first so I understand her complaints and allegations and then I will reach out to you to schedule your interview. I believe 1-2 hours should be sufficient time to discuss the allegations and if an additional meeting is necessary, we can always do so.

During this interview, I will be asking questions about the allegations mentioned in the complaint. You are welcome to have an advisor with you during this interview per Texas A&M University System Regulation 08.01.01, but it is not mandatory. If you do not have an advisor but would like one assigned to you, please let me know so I can begin the process of obtaining an advisor for you. The advisor cannot answer questions for you, but they can give you advice and support you during the interview. The advisor can be anyone of your choice, including an attorney if you wish. The only person I would caution you about using as an advisor is someone who may need to be interviewed as a witness for this case. If you use a witness as your advisor, it could impact their credibility as a witness because they were present for your interview. If you choose to have an advisor present, please complete and return both of the attached *Third-Party Advisor Agreement – Advisor* and *Party* forms prior to our interview.

In the meantime, if you have any files (i.e., forms, documents, text messages, emails, audio recordings, photographs, videos, etc.) that you would like to have considered during this

investigation please send those to me. If the files are too large to email, I can create a shared folder for you to upload any files so they can be reviewed and considered. It can also be helpful to write down a timeline of all the relevant events for your case. It can be hard to remember specific dates in the middle of an interview, but a timeline can help you stay organized and make sure you don't forget to mention anything important.

I ask that you also complete the attached *SECO Proposed Witnesses List* form which will provide me with a list of those who you believe have relevant information regarding the allegations. Please note that I (the investigative authority) have full discretion regarding which witnesses and questions are used during the investigation, and the witness list and questions you provide are recommendations.

In order to maintain the full integrity of this investigation, please keep this information private and do not share or discuss the content. This includes any future information or content discussed or shared between us. Please review and sign the attached *Admonishment Form* and return prior to our interview.

If you have any questions, please do not hesitate to contact me at (jblake@tamusp.edu).

Thank you,

Jordan Blake | Investigator
Title IX Office

Third Party Advisor and Party Forms



Texas A&M University South Padre

Description of Role: Third-Party Advisors

By agreeing to serve as a third-party Advisor to a party in a civil rights complaint resolution process, Advisors agree to the following terms and conditions.

1. As an Advisor, you may accompany your advisee to any meeting, interview, or hearing related to the member's civil rights grievance process as outlined in System Regulation 08.01.01 (Civil Rights). You may be made privy to sensitive information and concerns related to alleged sex or gender-based discrimination, harassment, violence, and/or retaliatory conduct; you will have access to the evidence that is directly related to the allegations at issue; and you may receive a copy of Texas A&M University – South Padre's Investigation Report, as directed by the party being advised.
2. As an Advisor, you in no way serve as a representative for the party in any and all meetings and proceedings. All communications between Texas A&M University – South Padre, and the advisee are official communications, not subject to routing through a third-party Advisor. While the advisee is welcome to share their communications with their Advisor, Texas A&M University – South Padre shall always communicate directly with the party (advisee) during all civil rights complaint resolution processes.
3. As an Advisor, you understand and acknowledge that Texas A&M University – South Padre and its members may limit the scope of the involvement of the Advisor in any meeting or proceeding. Advisors are responsible for asking questions of parties and witnesses in a formal (live) hearing but may not otherwise represent the advisee verbally or in writing at any time. Advisors are restricted from engaging in any conduct that would interfere with supportive measures or emergency actions in place for the conduct of the proceedings.
4. As an Advisor, you understand and acknowledge that it is your responsibility to develop questions and determine the limits of the Advisor's ability to ask additional questions in consultation with the advisee. Such preparation is to be done both in advance of and during the formal (live) hearing. It is the responsibility of the advisee to initiate contact and schedule time to meet with the Advisor in sufficient time to prepare for the formal (live) hearing.

Third-Party Advisor Information Page 2

5. As an Advisor, you understand and acknowledge that Texas A&M University – South Padre and its members may limit an Advisor's use and disclosure of these sensitive materials and information.
6. As an Advisor, you understand and acknowledge that records associated with the case and with Texas A&M University – South Padre grievance process may be subject to the Family Educational Rights and Privacy Act (FERPA) (or other federal or state laws) and may be considered confidential.
7. As an Advisor, you understand and acknowledge that evidence, information, and/or materials contained within the Investigation Report or to which you are made privy by Texas A&M University – South Padre, by any means of conveyance, in your role as an Advisor may only be used for purposes directly related to the grievance resolution process. Dissemination and/or disclosure of these materials to any non-involved third parties and/or the public is strictly prohibited.
8. As an Advisor, you understand and acknowledge that a party's failure to attend any meeting or hearing where that party was expected to attend will result in a refusal to admit the Advisor into the proceeding.
9. As an Advisor, you understand and acknowledge that any unauthorized use, dissemination, or disclosure of any materials related to any case will result in your removal as an Advisor and could result in your being permanently barred from serving as an Advisor in future proceedings. Advisors employed by any member of The Texas A&M University System acknowledge that violation of these conditions may result in employee discipline. Advisors enrolled as students at any member of The Texas A&M University System acknowledge that violation of these conditions may result in student disciplinary action. You also understand and acknowledge that you may be civilly liable to other parties for breach of privacy or public revelation of private facts.
10. Advisors who are employed by any member of The Texas A&M University System or enrolled as students at any member of The Texas A&M University System acknowledge that their communications with their advisee are private unless the advisee discloses information that would be subject to mandatory reporting under System Regulation 08.01.01 or under state law.

11. An Advisor's refusal to sign this agreement shall disqualify the individual from serving in the capacity of Advisor.

12. Your signature below indicates acceptance of all terms herein.

Advisor (Printed)

Advisor (Signature)

Date

Member Representative (Printed)

Member Representative (Signature)

Date

This agreement is to be maintained as a part of the case file. A copy of this agreement is to be provided electronically both to the party and to the Advisor.



Texas A&M University South Padre

Party Agreement: Third-Party Advisors

As a party (complainant, respondent, or both) to a civil rights complaint process, you are opting to use a third-party Advisor in the event that there is a formal (live) hearing to review and resolve the allegations in the complaint.

The following rules are associated with utilizing third-party Advisors:

1. Your Advisor may accompany your advisee to any meeting, interview, or hearing related to the member's civil rights grievance process as outlined in System Regulation 08.01.01 (Civil Rights). By doing so, your Advisor may be made privy to sensitive information and concerns related to alleged sex or gender-based discrimination, harassment, violence, and/or retaliatory conduct; your Advisor will have access to the evidence that is directly related to the allegations at issue; and your Advisor may receive a copy of Texas A&M University – South Padre's Investigation Report, at your discretion.
2. Your Advisor in no way serves as your representative in any and all meetings and proceedings. All communications between Texas A&M University – South Padre, and you are official communications, not subject to routing through a third-party Advisor. While you are welcome to share your communications with your Advisor, Texas A&M University – South Padre shall always communicate directly with you during all civil rights complaint resolution processes.
3. Your Advisor is solely responsible for asking questions of parties and witnesses in a formal (live) hearing but may not otherwise represent you verbally or in writing at any time. Your Advisor is also restricted from engaging in any conduct that would interfere with supportive measures or emergency actions in place for the conduct of the proceedings.
4. While your Advisor is responsible for asking questions on your behalf at a live hearing, you are solely responsible for the content of those questions unless you provide your Advisor with the flexibility to ask their own questions during a hearing.
5. You have the responsibility for initiating contact with your Advisor with sufficient advance notice to facilitate the opportunity for you and your Advisor to prepare for a live hearing. It is strongly recommended that you make contact with your Advisor at least three business days prior to the hearing to schedule a time to meet online or in person. A party's failure to meet with an Advisor prior to a scheduled hearing will not serve as a cause to delay a live hearing, nor may it be used as grounds for appealing any decision reached at the hearing.

6. Third-Party Advisors are not subject to training requirements to understand how the civil rights complaint process operates and can provide general advice on the process. As a result, your decision to accept advice from a third-party Advisor is done at your own risk.
7. While we wish for communications taking place for parties and their advisors to remain private, you are advised that Advisors who are employed by any member of The Texas A&M University System or enrolled as students at any member of The Texas A&M University System may be subject to reporting requirements if the advisee discloses information that would be subject to mandatory reporting under System Regulation 08.01.01 or under state law.
8. Your signature below indicates acceptance of all terms herein.

Party (Printed)

Party (Signature)

Date

Member Representative (Printed)

Member Representative (Signature)

Date

This agreement is to be maintained as a part of the case file. A copy of this agreement is to be provided electronically to the party.

Proposed Witness List



Texas A&M University
South Padre

Proposed Witness List for Investigations

You have been named as a party in an ongoing investigation being conducted by Texas A&M University – South Padre Title IX Office. During the investigation, the Complainant and the Respondent will have an equal opportunity to identify witnesses who may have relevant information, and to submit questions that they believe the Investigative Authority (IA) should direct to those witnesses.

Witnesses with relevant information include Direct Witnesses who personally observed an event(s) relevant to the allegation(s) listed in the complaint, and Indirect Witnesses who heard a retelling of an event(s) relevant to the allegation(s) listed in the complaint directly from one of the parties (e.g. the first person the party told after the event happened).

Absent good cause, fact witnesses who have not been interviewed as part of the investigation will not be allowed to testify during a potential hearing. A fact witness must fully submit to cross examination at a hearing, or the Hearing Officer may not consider any statements from that witness when deciding the outcomes of the case.

Witnesses who have no direct or indirect knowledge of the allegations listed in the complaint but wish to speak on the character of either party will not be interviewed. They may submit written character statements to the IA.

Please list any witnesses with relevant information that you wish to identify. **Please list them in your order of importance with the most important being listed first.** If you wish to list additional witnesses, please attach an additional typed page with all the requested information.

Name: _____ Relationship to Party: _____

Email: _____ Phone: _____

Direct or Indirect Witness: _____

If Indirect, when/how did you tell them about what happened? (e.g. I texted him/her about it the day after the alleged assault): _____

What relevant information can they provide: _____



Texas A&M University
South Padre

Any specific questions the IA should ask this witness: _____

1. _____

2. _____

3. _____

Name: _____ Relationship to Party: _____

Email: _____ Phone: _____

Direct or Indirect Witness: _____

If Indirect, when/how did you tell them about what happened? (e.g. I texted him/her about it the day after the alleged assault): _____

What relevant information can they provide: _____

Any specific questions the IA should ask this witness: _____

1. _____

2. _____

3. _____

Name: _____ Relationship to Party: _____

Email: _____ Phone: _____

Direct or Indirect Witness: _____

If Indirect, when/how did you tell them about what happened? (e.g. I texted him/her about it the



Texas A&M University South Padre

day after the alleged assault): _____

What relevant information can they provide: _____

Any specific questions the IA should ask this witness:

1. _____

2. _____

3. _____

By signing below, I acknowledge that this is a proposed witness list. The decision whether or not to interview a witness is solely at the discretion of the IA. I further acknowledge that interfering with the testimony of a witness in this investigation is prohibited by Texas A&M University System Regulation 08.01.01, the Texas A&M University Student Rules, and the Aggie Honor Code. Failure to uphold this responsibility may result in discipline/conduct action, up to and including dismissal.

Party Name: _____

Party Signature: _____ Date: _____

Admonishment Form



Texas A&M University South Padre

The attached complaint dated **February 12, 2025**, is being investigated by the Texas A&M University – South Padre Title IX Office pursuant to Texas A&M System Regulation 08.01.01. <https://policies.tamus.edu/08-01-01.pdf>. You are being provided with this complaint in order to familiarize yourself with the content.

Please do not disclose the details of this complaint to anyone, other than your legal counsel, if applicable, to protect the privacy of the information received prior to, during, and as a result of the investigation and to protect the integrity of the investigation process.

Please be advised per Texas A&M System Regulation 08.01.01, “All employees must, and students should, cooperate fully with those performing an investigation pursuant this regulation. Employees failing to cooperate with those performing an investigation may be disciplined, up to and including dismissal”.

Please be advised per Texas A&M System Regulation 08.01.01, “Employees and students must not retaliate against a person for filing a complaint or participating in an investigation under this regulation. Employees and students found to have retaliated, or intentionally provided false or materially misleading information regarding alleged discrimination under this regulation, may be disciplined, up to and including dismissal or expulsion”.

Prohibited conduct includes, but is not limited to:

- (a) attempting to coerce, compel, or prevent an individual from reporting alleged discrimination or providing testimony or relevant information;
- (b) removing, destroying, or altering documentation or other evidence (e.g., text messages) relevant to the investigation;
- (c) providing false or misleading information to member officials who are involved in the investigation and resolution of a complaint, or encouraging others to do so; and
- (d) using intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured under civil rights laws and regulations, or because the individual participated in any manner in the administration, investigation, proceedings, or hearings related to this regulation.

I have read, understand, and agree to the above conditions.

Printed Name

Title

Signature

Date

**Remember what are
the definitions...**

Sexual Harassment –

A form of sex discrimination. Unwelcome conduct on the basis of sex (of a sexual nature or otherwise):

(1) by an employee of the member who conditions the provision of an aid, benefit, or service of the member on an individual's participation in that unwelcome sexual conduct;

(2) determined by a reasonable person to be so severe and pervasive and objectively offensive that it effectively denies a person equal access to the member's education program or activity; or

(3) sexual assault or dating violence, domestic violence, or stalking based on sex

Sexual Assault –

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

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

- * Sexual assault is explicitly prohibited under this regulation. Aiding another in the commission of sexual assault is also prohibited under this regulation. Sexual assault is a form of sexual harassment or sex-based misconduct.**

3 Important Parts of Fondling:

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

Private body parts – a person's breast, posterior (butt), groin, and/or genitals.

Sexual Gratification

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

Crafting Effective Interview Questions

Complainant Interview Summary Questions



**Texas A&M University
South Padre**

Interviewee: Emily Rivera
Interviewee's Email: erivera@tamusp.edu
Interviewee's Phone: 956-281-4667
Involvement: Complainant

Advisor: None
Advisor Email:
Advisor Phone:

Date of Interview: February 28, 2025

Format: In-Person

Interviewer(s): Jordan Blake – Title IX Investigator

Discussion:

1. How would you like me to address you today during this interview?
 -
2. What is your major?
 -
3. When do you graduate?
 -
4. Describe your relationship with Dr. Callahan?
 -
5. In your email to the Title IX office you indicate that Dr. Callahan requested your presence in the lab where you worked under him as a research assistant, even though there are other qualified assistants. Can you elaborate on this?
 -
6. In your email to the Title IX office you indicate that Dr. Callahan had made inappropriate comments sexual in nature, possibly sexual harassment. Can you elaborate on this?
 -
7. Approximately when did these comments start?

-
8. Approximately how frequent were these comments made?
 -
 9. Was anyone else around that might have heard Dr. Callahan make these sexual in nature comments to you?
 -
 10. How did it make you feel when Dr. Callahan made these sexual in nature comments to you?
 -
 11. Did Dr. Callahan make sexual in nature comments to anyone else that you witnessed or heard about?
 -
 12. If so, who told you about these comments or was anyone else around that might have heard Dr. Callahan make these sexual in nature comments to anyone else?
 -
 13. If so, how did it make you feel when Dr. Callahan made these sexual in nature comments to others?
 -
 14. In your email to the Title IX office you indicated that Dr. Callahan's behavior had escalated to physical contact that made you feel extremely vulnerable and unsafe, possibly sexual assault (fondling) by touching your breast while showing signs of arousal on February 3, 2025. Can you elaborate on this?
 -
 15. Approximately when did the physical contact start with Dr. Callahan?
 -
 16. Approximately how frequent did Dr. Callahan make physical contact with you?
 -
 17. Was anyone else around that might have observed Dr. Callahan make physical contact with you?
 -
 18. How did it make you feel when Dr. Callahan made physical contact with you?
 -

19. Did Dr. Callahan make physical contact with anyone else that you witnessed or heard about?

-

20. If so, who told you about the other physical contact or was anyone else around that might also observed Dr. Callahan make physical contact with anyone else?

-

21. If so, how did it make you feel when Dr. Callahan made physical contact with others?

-

22. In your email to the Title IX office, you indicate you have dropped Dr. Callahan's class. When did this occur?

-

23. Has Dr. Callahan's actions denied you equal access to your TAMU-SP education program or activities?

-

24. If so, do you have any examples?

-

25. Do you have any other comments or is there something I might have not asked you that you believe is important?

-

Setting up Interview Rooms



Interview Summaries

Complainant Interview Summary



Texas A&M University South Padre

Interviewee: Emily Rivera
Interviewee's Email: erivera@tamu-sp.edu
Interviewee's Phone: 956-281-4667
Involvement: Complainant

Advisor: None
Advisor Email:
Advisor Phone:

Date of Interview: February 28, 2025

Format: In-Person

Interviewer(s): Jordan Blake – Title IX Investigator

Discussion:

1. **How would you like me to address you today during this interview?**
 - Emily.
2. **What is your major?**
 - Chemistry.
3. **When do you graduate?**
 - She's a junior on track to graduate in the Fall of 2026.
4. **Describe your relationship with Dr. Callahan?**
 - She first met Callahan when she took his Organic Synthesis course in the Fall of 2024, and she had labs with him. He was really easy going, funny, and very good at grant writing.
 - She is a research assistant for the RapidStream: High-Throughput Approaches in Organic and Analytical Chemistry grant headed by Callahan and two other chemistry professors, Lisolette Mueller (Mueller) and Joao Silva (Silva).
 - Rivera was taking Callahan's Mechanisms of Organic Chemistry course this Spring 2025 semester until recently.
 - She started "dreading" working with him.
5. **In your email to the Title IX office you indicate that Dr. Callahan requested your presence in the lab where you worked under him as a research assistant, even though there are other qualified assistants. Can you elaborate on this?**
 - There are 7 of them (research assistants) in total (4 females and 3 males), but she soon

realized he was only requesting her to help with his research. At first, she was flattered, but over the past 6 months she has started to dread working with him.

6. **Did you feel that you could say "no" when Dr. Callahan requested your assistance?**
 - No. He's been there for a while and everyone likes him. She was afraid to say anything, or he could remove her from the program. She only has 2 years left and she really enjoys her major, but she just can't handle this anymore.
7. **You mentioned dreading working with Dr. Callahan. Can you elaborate on what made you dread working with him?**
 - Starting in November 2024 she was assigned to Callahan's lab as a research assistant for several days over a month.
 - They would be in the lab together and he would brush up against her thighs with his hands and then make excuses and apologize.
8. **Could you estimate how many times Dr. Callahan brushed against you and then made an excuse?**
 - Somewhere between 6-8. They only have labs twice a week and towards the end of the Fall 2024 semester it happened almost every time.
9. **Do you remember how Dr. Callahan would brush up against you, would you feel comfortable showing me?**
 - *[demonstrated – her looking in a microscope and him walking up on her left and getting close to the microscope, holding one hand up and leaving his right-hand dangling and he would use his fingers to brush against her left thigh area].*
 - The first or second time it happened it really startled her, so she jumped back and made a noise like a gasp, and he immediately apologized. She didn't think he was doing it on purpose at first, but then it happened again the following week in a similar way.
 - After that, she tried to stand her ground and didn't move---she didn't want to give him a reaction, thinking that might stop the behavior but it didn't work.
10. **Was there anyone else around when this happened?**
 - No, it was always just her and him in the lab. Again, he would request her as the research assistant even though there were other people he could request.
11. **In your email to the Title IX office you indicate that Dr. Callahan made inappropriate comments sexual in nature. Can you elaborate on this?**
 - There were a few times during the Fall 2024 semester that he would comment on what she was wearing by saying "your blouse looks good on you" or he would say "your hair looks nice", "you smell good". She took these comments from him as sexual in nature.
12. **Was anyone else present when Dr. Callahan made these comments regarding your hair,**

smell, blouse, or shoes?

- Maybe. Lena Chen on a few.

13. How did it make you feel when Dr. Callahan commented on your appearance?

- At first, she thought he was just being nice, but it's just "weird". It started in the Fall 2024 semester, but after the second or third time it got just weird, and it felt sexual. It made her feel uncomfortable, and she tried to avoid him as much as possible.
- She estimated he made 20 similar comments to her over the Fall 2024 semester.
- He's 20 years older than she is – no reason to make these comments over and over

14. Did Dr. Callahan comment on anyone else's appearance or make sexual comments to anyone else that you noticed?

- No. After realizing he doesn't do this with anyone else is what made her realize something was wrong.

15. Are there any other comments Dr. Callahan made that I need to know about?

- The second or third week of this spring semester (maybe around January 20, 2025), she was in the lab alone with him and he said, "you know where that dress would look better...on the floor." He had a smirk on his face when he said it and winked at her. She rolled her eyes, and he said he was joking and said that was a comment guys used when he was in college. She found the comment offensive and not something she would expect from a professor.
- She wanted to disregard it, but the following week she was in the lab picking up something and when he saw her, he said, "those look like stripper shoes". She was wearing high wedge sandals, and a casual dress as she was going to meet friends off campus. It was embarrassing and she was offended. She quickly grabbed her stuff and left the lab. No one else was present for either incident.

16. In your email to the Title IX office you indicated that Dr. Callahan's behavior had escalated to physical contact that made you feel extremely vulnerable and unsafe, possibly sexual assault (fondling) by touching your breast while showing signs of arousal on February 3, 2025. Can you elaborate on this?

- Yes, Monday, February 3, 2025, classes had only been going for a few weeks. They were in the lab working at the microscopes, and he pointed at her shirt and said "you spilled coffee on your shirt" while touching her left breast, just above the nipple.
- The look on his face was so gross – like he was enjoying it. Before she could react, he looked at her chest and said, "By the way, your headlights are on" while smirking.

17. Would you mind showing me on this piece of paper how Dr. Callahan allegedly touched you?

- *[Demonstrated caressing back and forth with the back of the fingers.]*
- He touched her left breast with the back of his fingers on his right hand.
- By "headlights" he was referring to her nipples showing. She later realized her nipples could be seen through her shirt in the cold lab.

18. How did this make you feel?

- Awkward and uncomfortable. It "pissed me off really. Like who does that? That is my personal space. He's, my teacher. And he had a hard-on".
- She jerked back and said, "I got it, thanks." She walked over to where the paper towels were and turned her back and pretended to wipe it off, but she was really just trying not to cry.
- He laughed it off and said, "you must have a hole in your lip", referring to her spilling her coffee causing the stain.
- It was at the end of the lab, so she grabbed her stuff and left.
- As she walked by Graduate student and fellow research assistant, Lena Chen, gave her some sort of expression that made her think she saw what happened. Lena had widened eyes, and her head was tilted to the side. She felt like Lena saw what happened, but she is not sure.

19. Can you help me understand what a "hard-on" is?

- She could see he was excited in his pants. It was obvious. His penis was poking into his pants. Clarified to specify an erection.

20. So, Lena Chen was in the lab when this occurred?

- Yes, Lena was but she's not sure if she saw all what happened. She didn't want to ask Lena because it was so embarrassing. Lena would have been about 15 feet away working on their MSDS binder.
- She thought what if he's doing this to other people.

21. Was anyone else in the lab?

- No.

22. Did you tell anyone about what you were experiencing?

- She told her roommate, Kayla Thompson, and her academic advisor when she dropped his class on February 4, 2025. She told her advisor he's touching her and commenting on her looks, and she didn't want to be around him anymore. She'd rather drop the class.

23. When you talked to your roommate, Kayla Thompson, about what was happening, what was her reaction?

- She told Kayla a little bit about how creepy his comments had been early on in the Fall 2024 semester, and Kayla warned her "He's grooming you". They both agreed it was "weird" and "gross".
- Told Kayla not to say anything because she was embarrassed.
- Told Kayla she was afraid he would remove her from the program.
- She felt he kept making excuses for touching her thigh and brushing up against her. She told Kayla this.
- It seemed like the behavior just kept getting a little bit worse and worse until he finally touched her breast on February 3.
- She went to her room upset after what happened in the lab with him and told Kayla about it, Kayla was upset and said "what if he's doing this to someone else". Kayla told her she should report it, but she was scared. He's been there a long time, and she just wants to

graduate. He could jeopardize her grades or her research. They talked and she agreed to meet with the academic advisor the next day to drop his class and then go to her parents for the weekend to get away because she was stressed out.

24. What is your academic advisor's name?

- Daniel Morales.

25. Did Morales ask you the reason you wanted to drop Dr. Callahan's class or did you come out and tell him the reason?

- He asked the reason, and she only told him he was saying inappropriate things and touching her and she just wanted away from him. She did mention him touching her breast.

26. What was Morales' reaction when you told him the reason you wanted to drop the class?

- He did not react. It almost didn't even feel like he was truly listening to her.

27. Were you able to drop the class?

- Yes.

28. Can you confirm the date you met with Morales and dropped Dr. Callahan's class?

- February 4, 2025. The day after he touched her breast in the lab.

29. Has Dr. Callahan's actions denied you equal access to your TAMU-SP education program or activities?

- Yes, absolutely.

30. If so, do you have any examples?

- She dreaded working with him. She tried to limit her interactions with him as much as possible. She would arrive late to class; she would leave class early.
- She would also avoid the hallway where his office is located, even though this required her to walk the long way around to where the lab is located.
- She's asked the two other professors for the grant she is helping with to request her more often to avoid him. She did not tell the other professors anything.
 - Lisolette Mueller and Joao Silva
 - When she works with Mueller and Silva there are typically 3-4 research assistants in the lab, compared to when she works with Callahan, she is typically the only person there.
- She is over it and she recently dropped his class.

31. Do you have any other comments or is there something I might have not asked you that you believe is important?

- She is nervous about taking part in this process and retaliation from him.

Email to Witness

Good afternoon, Mr. Daniel Morales,

My name is Jordan Blake, and I am a Compliance Investigator with Texas A&M University – South Padre’s Title IX Office. I have been assigned to conduct a Texas A&M System Regulation 08.01.01, *Civil Rights Compliance* investigation filed by Ms. Emily Rivera, and you have been identified as a person who may or may not have information that could be relevant to this investigation. To be clear, you are not the subject of the complaint and would simply be a possible witness. I understand this email is vague and this was done to protect the integrity of the investigation process.

I would like to meet with you Friday, March 7, 2025, sometime between 9:00 am and 3:00 pm or Monday, March 10, 2025, sometime between 9:00 am and 2:00 pm. We would be meeting in person in the Title IX Office on campus. If you are not available during one of these dates and times listed, can you please provide me with an alternative day and time that you are available?

To maintain the complete integrity of this investigation, please keep this information private and do not share or discuss its content with anyone involved in this investigation or anyone at the university. This includes any future information or content discussed or shared between us. Please review and sign the attached admonishment form and return prior to our interview.

If you have any questions, please do not hesitate to contact me (jblake@tamusp.edu).

Thank you,

Jordan Blake | Investigator
Title IX Office

TEXAS A&M UNIVERSITY - SOUTH PADRE

Witness Interview Summary Questions



Texas A&M University South Padre

Interviewee: Daniel Morales
Interviewee's Email: dmorales@tamusp.edu
Interviewee's Phone: 123-123-1234
Involvement: Witness

Advisor: None
Advisor Email:
Advisor Phone:

Date of Interview: April 9, 2025

Format: In-Person

Interviewer(s): Jordan Blake – Title IX Investigator

Discussion:

1. How would you like me to address you today during this interview?
 -
2. What is your current title?
 -
3. How long have you been employed at The Texas A&M University - South Padre?
 -
4. How long have you been an Academic Advisor at TAMU-SP?
 -

Specific questions about allegations:

1. Approximately how many times in your role as Academic Advisor have you met with TAMU-SP student Emily Rivera?
 -
2. When was the most recent meeting with Emily?
 -
3. Confirming, the spring 2025 semester has already started when Emily came to your office on February 4, 2025?

-
- 4. Is it common to meet with students after the semester has begun?

-
- 5. Can you explain what Emily told you was going on?

-
- 6. How was Emily's behavior while talking with you?

-
- 7. Did you believe Emily's concerns were serious?

-
- 8. What did you end up doing after your meeting with Emily?

-
- 9. Did you report what Emily told you to anyone?

-
- 10. Can you explain to me your reason for not reporting Emily's concerns about Dr. Callahan to anyone?

-
- 11. Are you aware of any mandatory reporting policies?

-
- 12. From your knowledge can you tell me what those "certain things" are that you have to report?

-
- 13. In hindsight, how would you handle the situation differently?

-
- 14. Have you had any interactions with Dr. Callahan, good or bad, during your time at TAMU-SP?

-
- 15. Did you ask these students the reasons for preferring not to take Dr. Callahan classes again?

-
- 16. Approximately how many students have made these comments to you?

-

17. When was the first time another student wanted to drop his class?

-

18. Additional comments?

-

Witness Interview Summary



Texas A&M University South Padre

Interviewee: Daniel Morales
Interviewee's Email: dmorales@tam-sp.edu
Interviewee's Phone: 123-123-1234
Involvement: Witness

Advisor: None
Advisor Email:
Advisor Phone:

Date of Interview: April 9, 2025

Format: In-Person

Interviewer(s): Jordan Blake – Title IX Investigator

Discussion:

1. How would you like me to address you today during this interview?
 - Daniel.
2. What is your current title?
 - Academic Advisor for the College of Humanities and Sciences.
3. How long have you been employed at The Texas A&M University - South Padre?
 - Since 2012 in different roles.
4. How long have you been an Academic Advisor at TAMU-SP?
 - 5 years.

Specific questions about allegations:

1. Approximately how many times in your role as Academic Advisor have you met with TAMU-SP student Emily Rivera?
 - Once before each semester except for this past year he met with her twice.
2. When was the most recent meeting with Emily?
 - Approximately February 4, 2025, she showed up to his office without an appointment.
3. Confirming, the spring 2025 semester has already started when Emily came to your office on February 4, 2025?

- Yes, the spring 2025 classes started on January 21, 2025.

4. Is it common to meet with students after the semester has begun?

- Not typical, unless someone is struggling with the classes or the professor.
- Emily said she wanted to drop her Mechanisms in Organic Chemistry class with Dr. James Callahan due to some issues she was having with him.

5. Can you explain what Emily told you was going on?

- Emily told him that Dr. Callahan had been brushing up against her and making excuses for doing so.
- Emily said Dr. Callahan makes comments about her looks that make her uncomfortable.
- Emily said Dr. Callahan only requests her as a research assistant in his lab, when others are available.
- Emily said Dr. Callahan's behavior towards her has been going on since the Fall 2024 semester.
- Emily said yesterday (February 3, 2025), Dr. Callahan touched her breast while pointing out a coffee stain on her shirt.
- Emily said she did not want to be around Dr. Callahan any longer.

6. How was Emily's behavior while talking with you?

- Emily seemed really upset. Emily said she was "fed up" with the behavior but was scared to make a formal report.

7. Did you believe Emily's concerns were serious?

- If true, yes. He didn't ask many questions.

8. What did you end up doing after your meeting with Emily?

- He changed Emily to a different class like she wanted.

9. Did you report what Emily told you to anyone?

- No.

10. Can you explain to me your reason for not reporting Emily's concerns about Dr. Callahan to anyone?

- His job is to sign students up for classes.
- He did not know if the allegations were true.
- Dr. Callahan has been with the university for a long time like him.

11. Are you aware of any mandatory reporting policies?

- Yes. He doesn't know all the details of it though. He knew there are certain things you have to report as an employee.

12. From your knowledge can you tell me what those "certain things" are that you have to report?

- He doesn't remember specifics.

13. In hindsight, how would you handle the situation differently?

- He guesses he should have asked Emily more questions about what happened, or try to get her help.
- Considering he is talking to an investigator about this he assumes he was supposed to report this to someone.

14. Have you had any interactions with Dr. Callahan, good or bad, during your time at TAMU-SP?

- With Dr. Callahan personally no.
- He has heard from a few students that they did not like Dr. Callahan's class and preferred not to take him again if possible.

15. Did you ask these students the reasons for preferring not to take Dr. Callahan classes again?

- No.

16. Approximately how many students have made these comments to you?

- 3-4.

17. When was the last time?

- Spring 2024 semester.

18. Additional comments?

- None.

Respondent Interview Summary Questions



Texas A&M University
South Padre

Interviewee: James Callahan
Interviewee's Email: jcallahan@tamusp.edu
Interviewee's Phone: 956-281-4667
Involvement: Respondent

Advisor: None
Advisor Email:
Advisor Phone:

Date of Interview: March 17, 2025

Format: In-Person

Interviewer(s): Jordan Blake – Title IX Investigator

Discussion:

1. How would you like me to address you today during this interview?
 -
2. What is your current title?
 -
3. How long have you been employed at TAMU-SP?
 -
4. Could you describe your relationship with Emily Rivera, both personally and professionally?
 - |
5. There's been some concern raised about the nature of your interactions with Emily. Specifically, it's been alleged that you may have made Emily feel uncomfortable. Can you tell me more about how you interacted with Emily, especially in the context of lab work?
 -

6. Were there times when Emily seemed uncomfortable or distant when you were around?
 -
7. Did you only request Emily as a research assistant?
 -
8. Is Emily the only available research assistant?
 -
9. Can you help me understand the reason you only requested Emily?
 -
10. Was there ever a time that you touched Emily, even on accident?
 -
11. So, is it possible it happened or are you saying no, this never happened?
 -
12. Do you recall a time when you pointed to Emily's shirt, pointing out a coffee stain, and touched Emily's breast, on top of her shirt?
 -
13. Is it possible you touched Emily's breast over the shirt, even on accident?
 -
14. Did you happen to have an erection when you touched Emily's shirt?
 -
15. Can you think of a reason Emily would provide this information if it was untrue?
 -
16. Where were you and Emily when you made the comment about the coffee stain on her shirt?
 -
17. Was there anyone else present when you made the comment regarding the coffee stain on Emily's shirt?
 -

18. Would it surprise you if a witness in the lab confirmed that you touched Emily's breast?

-

19. Can you think of a reason why someone would say you touched Rivera's breast if it was untrue?

-

20. Did you verbally make any other comments to Emily when you pointed out the coffee stain on her shirt?

-

21. Is it possible you made a comment to Emily while pointing out the coffee stain on her shirt something similar to "your headlights are on"?

-

22. Is it possible you made the comment to Emily or are you denying making the comment?

-

23. Have you ever told Emily she looked nice or smelled good?

-

24. Did you comment on other students' appearances?

-

25. If so, would you be able to provide any names?

-

26. Did you say to Emily on one occasion that her shoes looked like "stripper shoes?"

-

27. Have you ever told Emily that her dress would have looked better on the floor?

-

28. Is there a reason Emily would make up this comment?

-

29. After you received your notice of investigation, did you talk to anyone about the allegations or their participation in the process?

-

30. If so, what did you tell them?

-

31. Did you ever make a comment to anyone about being upset with Emily for reporting this?

-

32. Did you ever make a comment that anyone who made statements against you will never work in this field again?

-

33. If not, is it possible you made this comment to someone? And if so to who?

-

34. Do you believe making this comment is appropriate?

-

35. Could you making this comment to a potential witness place them in fear and make them not want to be honest or participate fully with the investigation

-

36. Do you or have you ever had romantic feelings for Emily Rivera?

-

37. Do you believe you have behaved appropriately and ethically with Emily and your other staff?

-

38. Any other comments?

-

Respondent Interview Summary



**Texas A&M University
South Padre**

Interviewee: James Callahan
Interviewee's Email: jcallahan@tamu-sp.edu
Interviewee's Phone: 956-281-4667
Involvement: Respondent

Advisor: None
Advisor Email:
Advisor Phone:

Date of Interview: March 17, 2025

Format: In-Person

Interviewer(s): Jordan Blake – Title IX Investigator

Discussion:

1. How would you like me to address you today during this interview?
 - James
2. What is your current title?
 - Professor, Chemistry Department
3. How long have you been employed at TAMU-SP?
 - Since April 2012
4. Could you describe your relationship with Emily Rivera, both personally and professionally?
 - They work together in the lab. He's known Emily for a while now, and they've worked on a few projects together. He doesn't think there's anything inappropriate about their relationship—He's always been professional with her.
5. There's been some concern raised about the nature of your interactions with Emily. Specifically, it's been alleged that you may have made Emily feel uncomfortable with some sexual in nature comments. Can you tell me more about how you interacted with Emily, especially comments made to her?

- He admits, he's always tried to be supportive, but maybe he came on too strong at times. He offered to help Emily more with her work, and might've asked a lot of personal questions, but he never meant anything inappropriate. He didn't intend to offend or upset Emily or anyone else. He thought they were just becoming friends.
6. Did you make comments to Emily regarding “your blouse looks good on you”?
 - It is possible, he doesn't remember those exact words.
 7. Did you make comments to Emily regarding “your hair looks nice”?
 - It is possible, he doesn't remember those exact words.
 8. Did you make comments to Emily regarding “you smell good”?
 - It is possible, he doesn't remember those exact words.
 9. Did you say to Emily on one occasion that her shoes looked like “stripper shoes”?
 - Yes, but he was just joking around. The heels on the shoes Emily was wearing were at least 2.5” high. He didn't realize she was going to make a big deal about it.
 10. Have you ever told Emily that her dress would have looked better on the floor?
 - No way, he wouldn't say something like that.
 11. What was Emily's reaction when you made these comments to her?
 - There were a couple of times when Emily didn't seem as talkative or engaged as usual. But she always seemed busy, so he didn't think much of it. He didn't realize it was something to be concerned about. He was just trying to be nice.
 12. Would 20 comments similar to the few I read above be accurate as to how many times you made comments like this to Emily?
 - He is not sure. But 20 would be reasonable.
 13. Did you ever make comments similar to these read to you above to anyone besides Emily?
 - Yes. He would often make comments to both males and female students if they looked nice. His intentions were to be polite.
 14. If so, would you be able to provide any names?
 - He can't think of anyone off the top of his head.
 - If able to provide name – contact investigator.

15. Is there a reason Emily would make up this allegation?

- No idea. He's never heard of some of those before.

16. Did you only request Emily as a research assistant?

- Yes

17. Is Emily the only available research assistant?

- No, there are 5 qualified research assistants for his department.

18. Can you help me understand the reason you only requested Emily?

- She's easy to work with and follows directions and tasks quickly. She's easy to talk to.

19. Was there ever a time that you touched Emily, even on accident?

- No, he doesn't recall anything like that.

20. Do you recall ever touching Emily's thigh while in the lab together?

- Not intentionally. It's possible at some point because there is not much room in the lab. It would have been an accident.
- Occurred maybe once or twice.

21. Do you recall a time when you pointed to Emily's shirt, pointing out a coffee stain, and touched Emily's breast, on top of her shirt?

- No, that's not how it happened. He's happily married. Emily had a coffee stain on her shirt, and he was just trying to be helpful so she could clean it off. He doesn't think he touched her, but if he did it was with maybe a finger – near her shoulder.

22. Is it possible you touched Emily's breast over the shirt, even on accident?

- No way.

23. Did you happen to have an erection when you touched Emily's shirt?

- No way, that is absurd.
- "Is that what she said?"

24. Can you think of a reason Emily would provide this information if it was untrue?

- No, this is very disappointing.

25. Where were you and Emily when you made the comment about the coffee stain on her shirt?

- The lab.

26. Was there anyone else present when you made the comment regarding the coffee stain on Emily's shirt?

- Lena Chen was probably in the lab. Chen is a graduate student and also a research assistant like Emily on his

27. Would it surprise you if a witness in the lab confirmed that you touched Emily's breast?

- "Who, Lena?"
- No way, Lena could have seen anything, she was on the other side of the lab.
- Lena was about 10 feet away.

28. Can you think of a reason why someone would say you touched Rivera's breast if it was untrue?

- Not that he can think of. "This is nuts"; "I'm happily married"; "I wouldn't do that".
- He has a good relationship with Lena.

29. Did you verbally make any other comments to Emily when you pointed out the coffee stain on her shirt?

- He doesn't think so. It was a few weeks ago so he doesn't remember.

30. Is it possible you made a comment to Emily while pointing out the coffee stain on her shirt something similar to "your headlights are on"?

- Doesn't sound like a phrase he would say, but he knows what it means from a movie.
- It was only him, Emily, and Lena in the lab at the time.

31. Is it possible you made the comment to Emily or are you denying making the comment?

- He guesses it's possible. He doesn't remember.

32. After you received your notice of investigation, did you talk to anyone about the allegations or their participation in the process?

- He mentioned something to Lena, because she might be interviewed.

33. If so, what did you tell them?

- He told her not to be worried and to be honest.

34. Did you ever make a comment to anyone about being upset with Emily for reporting this?

- Probably. He was frustrated because he thinks this is ridiculous.

35. Did you ever make a comment that anyone who made statements against you will never work in this field again?

- He doesn't think he ever said that to anyone.

36. If not, is it possible you made this comment to someone? And if so to who?

- It's possible. Maybe Lena.

37. Do you believe making this comment is appropriate?

- Probably not. He was angry.

38. Could you making this comment to a potential witness place them in fear and make them not want to be honest or participate fully with the investigation

- Probably so.

39. Do you or have you ever had romantic feelings for Emily Rivera?

- Never. He's happily married.

40. Do you believe you have behaved appropriately and ethically with Emily and your other staff?

- He thinks he became too comfortable around Emily, and he let his humor go too far. He thought she was cool, and it was fine.
- He shouldn't have let his anger come out and said what he said to Lena. He didn't want his wife to find out about this.

41. Any other comments?

- No.

Is there anything evidentiary I should request from HR, Title IX, Workday, UPD, etc.?



Interview Summary Emailed to Parties for Review

Good afternoon, Ms. Rivera,

Please review the attached interview summary to ensure it is an accurate reflection of the relevant information discussed during our interview on February 28, 2025. Again, this is not a transcript, so the entirety of our conversation is not captured in this document.

If you agree that it accurately reflects our meeting, you can simply respond in an email with a statement that you have reviewed the interview summary and agree that the content is accurate. If there is something that I missed, mischaracterized, misquoted, or completely got wrong, please make changes to the document. The document has been restricted to only allow edits with “Track Changes” active. This is done to ensure any edits to the document are captured.

Please provide your response by 5:00 PM on Friday (March 7th).

If you have any questions, please do not hesitate to contact me.

Thank you,

Jordan Blake | Investigator
Title IX Office

TEXAS A&M UNIVERSITY - SOUTH PADRE

Report Writing Tips

SPECIFIC ALLEGATIONS

A. Did Callahan sexually harass Rivera?

Rivera first met Callahan when she took his Organic Synthesis course in the Fall of 2024, and she had labs with him. Rivera described Callahan as really easy going, funny, and very good at grant writing.

Rivera said although there are seven research assistants, four females and three males, for the chemistry department, she soon realized Callahan was only requesting her to help with his research. Rivera said early in the Fall 2024 semester, Callahan began making comments on her appearance. Rivera said she first thought these comments were flattering, but after the third instance it became awkward and uncomfortable, realizing that she did not hear Callahan comment on anyone else's appearance. Rivera provided the following examples:

- “Your hair looks nice.”
- “You smell good.”
- “Your blouse looks good on you.”

Rivera said she began limiting her interactions with Callahan by arriving late to class, leaving early, and arranging to work with other professors during her scheduled hours so that Callahan would not request her. Rivera said when she works with Mueller and Silva, there are typically 3-4 research assistants in the lab compared to when she works with Callahan, where she is typically the only research assistant in the lab. *(Note: The investigator emailed with Mueller and Silva who confirmed Rivera asked them to work in their lab Exhibits 24 and 25).* Rivera said she avoided the hallway where Callahan’s office is located, even though this required her to walk the long way around the Chemistry building to where the labs is located **Exhibit 11**. Rivera estimated Callahan made 20 personal comments to her over the Fall 2024 semester, that made her feel uncomfortable.

Chen said all the research assistants believe Rivera is Callahan’s favorite and that he only requests Rivera and only makes comments about Rivera’s appearance. Chen said she’s overheard Callahan comment on Rivera’s appearance, for example “you look nice today....you smell good.” Chen stated she overheard comments like this about 3-5 times throughout the Fall 2024 semester. Chen was asked if Callahan made comments about her appearance as well and Chen said, “I’m not pretty like her [Rivera], so no.” Chen described Callahan as appearing to be fixated on Rivera, stating he does not make comments about anyone else’s appearance or that seem personal in nature **Exhibit 8**.

Callahan stated it is possible over the course of the Fall 2024 and the first few weeks of the Spring 2025 semester he made comments about Rivera’s appearance, but he didn’t remember the exact words he used. Callahan said if anything he was being friendly and didn’t intend to offend or upset Rivera or anyone else. Callahan was not sure the number of times he made comments but agreed that 20 could be reasonable. Callahan said he often commented to both male and female students if they looked nice with the intentions of being polite. Callahan was asked to provide names of others he had made similar comments to, but he was unable to and said he couldn't recall.

Rivera stated she shared Callahan's behavior with her roommate, Thompson, early on in the Fall 2024 semester. Rivera said Thompson warned her that Callahan appeared to be “He’s grooming you.” They (Rivera and Thompson) both agreed that the behavior was “gross” and “weird”. But Rivera said she asked Thompson not to say anything to anyone as she was embarrassed and didn’t want other people to find out. Rivera recalled telling Thompson that she was concerned about Callahan’s ability to remove her from the program. Thompson agreed

SPECIFIC ALLEGATIONS

A. Did Callahan sexually harass Rivera?

Emily Rivera – Complainant (Exhibit 5):

Rivera first met Callahan when she took his Organic Synthesis course in the Fall of 2024, and she had labs with him. Rivera described Callahan as really easy going, funny, and very good at grant writing.

Rivera said although there are seven research assistants, four females and three males, for the chemistry department, she soon realized Callahan was only requesting her to help with his research. Rivera said early in the Fall 2024 semester, Callahan began making comments on her appearance. Rivera said she first thought these comments were flattering, but after the third instance it became awkward and uncomfortable, realizing that she did not hear Callahan comment on anyone else's appearance. Rivera provided the following examples:

- “Your hair looks nice”
- “You smell good”
- “Your blouse looks good on you”

Rivera said she began limiting her interactions with Callahan by arriving late to class, leaving early, and arranging to work with other professors during her scheduled hours so that Callahan would not request her. Rivera said when she works with Mueller and Silva, there are typically 3-4 research assistants in the lab compared to when she works with Callahan, where she is typically the only research assistant in the lab. *(Note: The investigator emailed with Mueller and Silva who confirmed Rivera asked them to work in their lab (Exhibits 24 and 25)).* Rivera said she avoided the hallway where Callahan’s office is located, even though this required her to walk the long way around the Chemistry building to where the labs is located (**Exhibit 11**). Rivera estimated Callahan made 20 personal comments to her over the Fall 2024 semester, that made her feel uncomfortable.

...

Kayla Thompson (Thompson) Witness (Exhibit 9):

Thompson stated she and Rivera had multiple conversations over the course of the Fall 2024 semester where Rivera described the comments Callahan made and how they made Rivera feel uncomfortable. Thompson said the comments were creepy because Callahan is so much older than Rivera and professor. Thompson voiced that she believed Callahan was grooming Rivera.

Thompson confirmed Rivera told her about the incident involved Callahan touching her breast on February 3, 2025, when Rivera returned to their room. Thompson said she was very upset and told Rivera to report the incident, but Rivera did not want to jeopardize her grades or research. Thompson said she was so glad when Rivera told her she was going to drop Callahan’s class on February 4, 2025. Thompson said she told Rivera that she needed to report the behavior because Callahan could be doing it to someone else, and Rivera did not deserve to be stressed out by him. Thompson stated Rivera said she would consider it but went home for the rest of the week after she dropped the class because she was so stressed. Thompson said she was worried about Rivera which is why she told Lee.

Lena Chen - Witness (Exhibit 8):

Extensions

4.2.7 Time frames for the receipt, investigation, and adjudication of complaints may be extended for good cause with written notice to the complainant and respondent of the delay and/or extension and the reasons therefor. Good cause is to be determined by the member in consultation with OGC and SECO and reasonable extensions may be granted at the discretion of the member. The investigative authority should send an extension request, if needed, to the office or individual who appointed

Good afternoon, Ms. Bennett,

The Rivera x Callahan 08.01.01 Initial Draft Report (IDR) is due Monday, April 4, 2025. I am requesting an extension until April 21, 2025, to complete my IDR, due to lack of response from one party regarding their second interview summary and my need for more time to complete typing my report.

I will notify Rivera and Callahan via email of the extension once approved. I will also notify the assigned Decision Maker (Dr. Sharma) of the extension. If you have any questions, please get with me.

Thank you,

Jordan Blake | Investigator
Title IX Office|

TEXAS A&M UNIVERSITY - SOUTH PADRE

Good morning, Ms. Rivera,

This email is to inform you that the investigation into the allegations is still on-going with me typing the Initial Draft Report (IDR). Due to this, an extension to the investigation timeline has been requested and granted. Based on the extension, the IDR should be sent for SECO/OGC review no later than the close of business on April 21, 2025. If an additional extension is needed, you will be notified accordingly.

Please feel free to reach out to me should you have any questions or concerns.

Thank you,

Jordan Blake | Investigator
Title IX Office

TEXAS A&M UNIVERSITY - SOUTH PADRE

IDR

FDR

FIR

**Initial Draft Report
Emailed to SECO/OGC
for Review**

Good morning,

The TAMU – South Padre 08.01.01 Rivera x Callahan IDR is being sent to you for SECO/OGC review. I created a shared folder on OneDrive with the IDR and exhibits that you should be receiving an email with access to shortly. The link to the shared folder is also below if that is easier to keep track of. For ease, I will attach the report with comments and track changes turned on to this email as well.

Link: TAMU-SP, Rivera x Callahan, 08.01.01 Investigation

If you can please response to this email to acknowledge receipt and if you have any questions or concerns, please contact me.

Thank you very much,

Jordan Blake | Investigator
Title IX Office

Texas A&M University – South Padre

IDR

FDR

FIR

**What are my
exhibits?**

**Final Draft Report
Emailed to Parties for
Review**

Good afternoon, Ms. Rivera,

Attached is the Final Draft Report (FDR) for the investigation into your allegations of Sexual Harassment and Sexual Assault against James Callahan beginning in the Fall 2024 semester and continuing into the current Spring 2025 semester where Callahan allegedly touched your breast on top of your clothing without consent. Per The Texas A&M University System Regulation 08.01.01 – Section 4.2.12, Subsection (a) you will have ten (10) business days to review the report and respond in writing. You are welcome to provide your response (if any) before the tenth business day. You are not required to provide a response. If you choose not to respond, you can reply to this email and indicate that you will not be responding.

Please note that “Track Changes” is active and locked in the document so I can see exactly what comments or changes you have made and where. This way, I don’t have to guess or assume where a comment or change was intended to be.

DEADLINE TO SUBMIT RESPONSE: FRIDAY, JUNE 6, 2025, BY 4:00 PM (CT).

If you have any questions, please do not hesitate to email me.

Thank you,

Jordan Blake | Investigator
Title IX Office

TEXAS A&M UNIVERSITY - SOUTH PADRE

IDR

FDR

FIR



Texas A&M University South Padre

Final Investigative Report

MEMORANDUM

June 24, 2025

TO: Dr. Anika Sharma
Dean, College of Arts and Sciences
Texas A&M University-South Padre

FROM: Jordan Blake
Investigator
Texas A&M University-South Padre

RE: Civil Rights Complaint – Sexual Harassment #2025-04

On February 21, 2025, Laila Bennett, Texas A&M University-South Padre (TAMU-SP) Compliance Officer, assigned me to investigate a complaint submitted by Emily Rivera alleging sexual harassment and sexual assault.

COMPLAINANT

Emily Rivera
Undergraduate Student
Texas A&M University-South Padre

RESPONDENTS

James Callahan
Professor
Texas A&M University-South Padre

SUMMARY OF COMPLAINT

On February 14, 2025, Emily Rivera (Rivera) filed a formal civil rights complaint of sexual harassment and sexual assault (fondling) against James Callahan (Callahan) **Exhibit 1**. Rivera alleges Callahan sexually harassed her by making repeated comments of a sexual nature, beginning in the Fall 2024 semester and continued into the current Spring 2025 semester, and he touched her breast without consent while showing signs of sexual arousal in violation of The Texas A&M University System (A&M System) Policy 08.01 *Civil Rights Protections and Compliance* and A&M System Regulation 08.01.01 *Civil Rights Compliance*.

INTERVIEWS

As part of this investigation, the following individuals were interviewed regarding the above-referenced allegations:

February 28, 2025
March 4, 2025
March 6, 2025

March 7, 2025
March 17, 2025
March 19, 2025
April 2, 2025

Emily Rivera, Undergraduate Student, Complainant
Lena Chen, Graduate Assistant, Witness
Kayla Thompson, Undergraduate Student/Roommate, Witness
Marcus Lee, Undergraduate Student/Resident Assistant, Witness
Lisolette Mueller, Professor, Witness
Joao Silva, Professor, Witness
Daniel Morales, Academic Advisor, Witness
James Callahan, Professor, Respondent
Emily Rivera, Undergraduate Student, Complainant
James Callahan, Professor, Respondent

EXHIBITS

During the investigation, the following documents were considered after being reviewed and/or created as part of the examination of the allegations.

Exhibit 1: Complaint
Exhibit 2: Notification Letters to Complainant and Respondent
Exhibit 3: A&M System Policy 08.01, *Civil Rights Protections and Compliance*
08.01 - Civil Rights Protections and Compliance
Exhibit 4: A&M System Regulation *08.01.01, Civil Rights Compliance*
08.01.01-Civil Rights Compliance
Exhibit 5: Interview Summary Rivera
Exhibit 6: Interview Summary Callahan
Exhibit 7: Interview Summary Morales
Exhibit 8: Interview Summary Chen
Exhibit 9: Interview Summary Thompson
Exhibit 10: Interview Summary Lee
Exhibit 11: University Map of Chemistry building
Exhibit 12: Floorplan of Chemistry lab
Exhibit 13: CARE Report email thread
Exhibit 14: Research Assistant requests
Exhibit 15: Rivera Academic Transcript
Exhibit 16: Chen Academic Transcript
Exhibit 17: Title IX Office email to Rivera
Exhibit 18: Title IX Intake Report
Exhibit 19: TAMU-SP Member Rule 08.01.01SP
Exhibit 20: Interview Summaries Commentary from Rivera
Exhibit 21: Interview Summaries Commentary from Callahan
Exhibit 22: Final Draft Report Commentary from Rivera
Exhibit 23: Final Draft Report Commentary from Callahan
Exhibit 24: Emails with Lisolette Mueller
Exhibit 25: Emails with Joao Silva

ALLEGED VIOLATION

A&M System Policy 08.01:

*PROHIBITED ACTIONS, 2.1 Prohibited Discrimination a. System Employment. No individual will be subjected to discrimination in system employment on the basis of race, color, sex, religion, national origin, age, disability, genetic information, veteran status, or any other classification protected by federal, state or local law. b. Other System Programs and Activities. No individual will, on the basis of any classification protected by state, federal, or local law, be excluded from participation in, or be denied the benefit of, or be subjected to discrimination under any system program or activity. **Exhibit 3***

A&M System Regulation 08.01.01: *“Discrimination – a materially adverse action or actions that intentionally or unintentionally excludes one from full participation in, denies the benefits of, or affects the terms and conditions of employment or access to educational or institutional programs because of an individual’s race, color, sex, religion, national origin, age, disability, genetic information, veteran status, sexual orientation, gender identity, or any other classification protected by federal, state, or local law. Discrimination includes harassment (based on both hostile environment and quid pro quo) and retaliation based on a legally protected category.” **Exhibit 4***

TAMU-SP Member Rule 08.01.01SP **Exhibit 19**

Sexual harassment – a form of sex discrimination. Unwelcome conduct on the basis of sex (of a sexual nature or otherwise): (1) by an employee of the member who conditions the provision of an aid, benefit, or service of the member on an individual’s participation in that unwelcome sexual conduct; (2) determined by a reasonable person to be so severe and pervasive and objectively offensive that it effectively denies a person equal access to the member’s education program or activity; or (3) sexual assault or dating violence, domestic violence, or stalking based on sex.

Sexual assault – an offense that meets the definition of rape, fondling, incest or statutory rape as used in the FBI’s Uniform Crime Reporting system. A sex offense is any sexual act directed against another person, without the consent of the victim, including instances in which the victim is incapable of giving consent. These offenses are defined as:

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

STANDARD OF EVIDENCE

In reviewing this complaint, any determination as to whether or not the respondent is responsible for the alleged violations will be made on the basis of a preponderance of the evidence, or what is more likely than not to be true based on the totality of the available evidence.

In all investigations and in any hearing, a presumption will exist that the respondent is not responsible for the allegations until a determination is made at the conclusion of the adjudicatory process. The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the member and not on the parties.

BACKGROUND INFORMATION

Emily Rivera (Rivera) is a junior majoring in Chemistry on track to graduate in the Fall of 2026. Rivera completed James Callahan’s (Callahan) Organic Synthesis course in the Fall of 2024. Rivera was in Callahan’s Mechanisms of Organic Chemistry course in the Spring 2025 semester but recently elected to drop the course. Rivera is a research assistant for the RapidStream: High-Throughput Approaches in Organic and Analytical Chemistry grant headed by Callahan and two other chemistry professors, Lisolette Mueller (Mueller) and Joao Silva (Silva).

Callahan was hired as a Chemistry professor in Fall 2012 and received tenure in 2018. Callahan is the Principal Investigator (PI) for the RapidStream: High-Throughput Approaches in Organic and Analytical Chemistry project.

Kayla Thompson (Thompson) is a sophomore majoring in Business Marketing and has been Rivera’s roommate since Spring 2024.

Lena Chen (Chen) is a second-year doctoral student majoring in Chemistry and Callahan’s research assistant. Chen is a research assistant for the RapidStream: High-Throughput Approaches in Organic and Analytical Chemistry grant.

Marcus Lee (Lee) is a junior majoring in Biology and first year Resident Assistant (RA). Lee is the floor RA in Rivera and Thompson’s residence hall.

Daniel Morales (Morales) is an academic advisor for the College of Humanities and Sciences. Morales has been with TAMU-SP since 2014.

SPECIFIC ALLEGATIONS

A. Did Callahan sexually harass Rivera?

Rivera first met Callahan when she took his Organic Synthesis course in the Fall of 2024, and she had labs with him. Rivera described Callahan as really easy going, funny, and very good at grant writing.

Rivera said although there are seven research assistants, four females and three males, for the chemistry department, she soon realized Callahan was only requesting her to help with his research. Rivera said early in the Fall 2024 semester, Callahan began making comments on her appearance. Rivera said she first thought these comments were flattering, but after the third instance it became awkward and uncomfortable, realizing that she did not hear Callahan comment on anyone else’s appearance. Rivera provided the following examples:

“Your hair looks nice.”

“You smell good.”
“Your blouse looks good on you.”

Rivera said she began limiting her interactions with Callahan by arriving late to class, leaving early, and arranging to work with other professors during her scheduled hours so that Callahan would not request her. Rivera said when she works with Mueller and Silva, there are typically 3-4 research assistants in the lab compared to when she works with Callahan, where she is typically the only research assistant in the lab. (*Note: The investigator emailed with Mueller and Silva who confirmed Rivera asked them to work in their lab Exhibits 24 and 25*). Rivera said she avoided the hallway where Callahan’s office is located, even though this required her to walk the long way around the Chemistry building to where the labs is located **Exhibit 11**. Rivera estimated Callahan made 20 personal comments to her over the Fall 2024 semester, that made her feel uncomfortable.

Chen said all the research assistants believe Rivera is Callahan’s favorite and that he only requests Rivera and only makes comments about Rivera’s appearance. Chen said she’s overheard Callahan comment on Rivera’s appearance, for example “you look nice today....you smell good.” Chen stated she overheard comments like this about 3-5 times throughout the Fall 2024 semester. Chen was asked if Callahan made comments about her appearance as well and Chen said, “I’m not pretty like her [Rivera], so no.” Chen described Callahan as appearing to be fixated on Rivera, stating he does not make comments about anyone else’s appearance or that seem personal in nature **Exhibit 8**.

Callahan stated it is possible over the course of the Fall 2024 and the first few weeks of the Spring 2025 semester he made comments about Rivera’s appearance, but he didn’t remember the exact words he used. Callahan said if anything he was being friendly and didn’t intend to offend or upset Rivera or anyone else. Callahan was not sure the number of times he made comments but agreed that 20 could be reasonable. Callahan said he often commented to both male and female students if they looked nice with the intentions of being polite. Callahan was asked to provide names of others he had made similar comments to, but he was unable to and said he couldn’t recall.

Rivera stated she shared Callahan’s behavior with her roommate, Thompson, early on in the Fall 2024 semester. Rivera said Thompson warned her that Callahan appeared to be “He’s grooming you.” They (Rivera and Thompson) both agreed that the behavior was “gross” and “weird”. But Rivera said she asked Thompson not to say anything to anyone as she was embarrassed and didn’t want other people to find out. Rivera recalled telling Thompson that she was concerned about Callahan’s ability to remove her from the program. Thompson agreed with this account and said the comments occurred to Rivera every few weeks. Thompson said she suggested Rivera report the behavior but understood Rivera’s concerns and hesitation.

Rivera said in November 2024 she was assigned to Callahan’s lab as a research assistant for several days over the course of the month (it had been about two months since she last worked in this lab). During this time Callahan brushed up against her several times while they were in the lab. Rivera described the lab as “cramped” with little space between the counter tops **Exhibit 12**. Once, while Rivera was hunched over and looking through the microscope, Callahan stood close to her left and with his right-hand dangling down, Callahan’s fingers brushed her upper left thigh area. Rivera said the first time it startled her, so she jumped back and made a noise like a gasp. Callahan apologized and said it was an accident. Rivera said she brushed it off as an accident, until it happened again the following week in a similar way. Rivera stated this behavior happened when she was in the lab with Callahan alone. Rivera reiterated this was because Callahan would only request her as the research

assistant even though there are others he could request. Rivera said this occurred an estimated 6-8 times beginning in November 2024 and continued into the spring semester (2025).

Callahan denied intentionally touching Rivera’s thigh. Callahan said it was possible he brushed up against her at some point because there isn’t much room in the lab, but that if he did it would have been an accident. Callahan said this would have occurred maybe once or twice.

Rivera said the second or third week of the spring semester, around January 20, 2025, she was in the lab alone with Callahan when he said, “You know where that dress would look better...on the floor.” Rivera described Callahan having a smirk on his face when he made the comment, and he winked at her. Rivera said she rolled her eyes, and Callahan said he was joking and that this was a comment guys used when he was in college. Rivera stated she still found the comment offensive and not something she would expect from a professor. Callahan denied making the comment about Rivera’s dress being on the floor.

Rivera stated she could have disregarded it, but that wasn’t the only time he made such a comment. Rivera stated the following week she was in the lab picking up something she had left in there. When Callahan saw her, he said, “Those look like stripper shoes.” Rivera described that she was wearing high wedge sandals, and a casual dress as she was going to meet friends. Rivera stated, again she felt offended and embarrassed, so she quickly grabbed her stuff and exited the lab. Callahan confirmed he made the comment about Rivera’s shoes, but said he was joking around. Callahan said the heels on Rivera’s shoes were about 2.5” high. There were no direct witnesses to either alleged comment.

Rivera returned to her room upset after an incident on February 3, 2025, involving Callahan touching her in the lab. Rivera told Thompson, who also became upset. Thompson told Rivera to report the incident, but Rivera did not want to jeopardize her grades or research. They decided the Rivera would meet with the academic advisor the next day to drop Callahan’s class and then go to her parents for the weekend to get away because she was stressed out. Thompson confirmed this conversation took place and the details provided by Rivera.

On February 4, 2025, Rivera met with Morales and told him that she wanted to drop Callahan’s class and why. Morales confirmed he met with Rivera on February 4, 2025, when she came by his office to drop her class with Callahan without an appointment. During this time, he recalled that Rivera shared details with him about why she wanted to drop the class, such as he had been brushing up against her, making comments about her looks that made her uncomfortable, he only requested her as his research assistant, and he touched her breast while pointing out a coffee stain on her shirt. Morales said Rivera voiced she did not want to be around Callahan any longer, she was “fed up” with the behavior, but she was scared to make a formal report. Morales said it was a common time for students to add/drop a class as it was early on in the semester, so he did not read too much into her appearing upset and he did not report her allegations to anyone. Morales admits he did not ask many questions he just changed her class like she wanted. Morales confirmed the allegations made by Rivera were serious “if true” but he knew Callahan had been with the university for a long time. Morales voiced that his job is to sign students up for classes and he was focused on helping Rivera accomplish that. Morales said he has had 3-4 students since the spring 2024 semester, who had Callahan as a professor voice they did not like him and preferred not to take him again if possible. Morales did not ask for details or reasons from these students.

Lee said on February 6, 2025, he stopped by Thompson and Rivera’s room to see how the spring semester was going and if they had revised their Roommate Agreement. Thompson shares with Lee that they are good, nothing

needed to change in their Roommate Agreement, and that Rivera is “much better now that she dropped the class with the weird and creepy professor.” Lee asked Thompson what she meant and what was going on. Thompson said that Rivera had a weird professor who was saying and doing weird things that made Rivera uncomfortable. Thompson said she was happy Rivera did not have to deal with that professor anymore. Lee asked where Rivera was, and Thompson said Rivera left for the rest of the week to go to her parents because she was stressed out. Lee told Thompson that if Rivera wanted to talk when she got back to let him know. Lee stated he returned to his office and submitted a CARE report over what Thompson told him **Exhibit 13**. Investigators asked Lee if they reported the behavior to their supervisor or to the Title IX office. Lee said he didn’t and thought submitting the CARE report was what he was supposed to do since Thompson only expressed concern for Rivera’s wellbeing.

The Investigator reviewed the requests Callahan submitted for the research assistants and confirmed Rivera was the only one he requested **Exhibit 14**. Callahan confirmed he only requested Rivera because she was easy to work with and she follows direction and tasks quickly. Callahan also voiced that Rivera was easy to talk to. Callahan also confirmed there are five qualified research assistants for his department he can choose from.

On February 7, 2025, CARE sends Rivera an email about resources **Exhibit 13**.

On February 11, 2025, Rivera responds to the CARE report with a typed statement **Exhibit 13**. The same day CARE reviews the statement and forwards it to the Title IX office.

On February 13, 2025, The Title IX office reviews the CARE report and reaches out to Rivera via email **Exhibit 17**.

On February 14, 2025, Title IX conducted an intake with Rivera **Exhibit 18**.

On February 17, 2025, Rivera confirmed the desire to move forward with a formal complaint.

Examination of Evidence

Callahan and Rivera both agree that she was the only research assistant requested by Callahan, a fact supported by the research assistant request log. Callahan stated he requested Rivera because she was easy to work with and she follows direction and tasks quickly. Callahan also voiced that Rivera was easy to talk to. Rivera and Callahan both agree there are other research assistants available.

Callahan stated it is possible over the course of the Fall 2024 semester and the first few weeks of the Spring 2025 semester that he made approximately 20 comments about Rivera’s appearance. In doing so the comments would have been directed towards several male and female student not just Rivera but could not recall names. Rivera stated she did not witness Callahan make similar comments to other students, which is consistent with Chen’s account. Specifically, Chen stated that she witnessed Callahan make comments about Rivera’s appearance 3-5 times over the Fall 2024 semester. Chen did not receive any comments from Callahan, nor did Chen witness Callahan make comments to others. Similarly, Thompson stated on several occasions when in their dorm room Rivera would disclose comments that Callahan made to her, sharing how the comments made her feel

uncomfortable and how weird Callahan was being. Thompson did not recall the specific dates or statements but stated that their conversations occurred at least every few weeks.

Rivera said the comments were unwanted and offensive, making her uncomfortable. Rivera stated the unwelcome behavior resulted in her feeling like she needed to avoid Callahan. Specifically, she altered reported arriving late to class, leaving early, and avoiding the hallway near Callahan’s office by taking a longer route around the building. Rivera said she requested to be assigned to other professors as a research assistant. The Investigator confirmed this with Mueller and Silva.

Rivera alleges that Callahan brushed up against her thigh 6-8 times with his fingers, each time excusing it as an accident due to the small lab space. Rivera alleged this occurred during the Fall 2024 and Spring 2025 semesters. Callahan denies any intentional contact, though he admits it may have occurred once or twice given the confined spacing in the lab. There were no other individuals present to witness the interaction. The only witness account is Thompson, who stated that Rivera told her that Callahan was brushing up against her leg with his hand when they were alone in the lab and saying it was an accident.

Callahan denied making the comment “Do you know where that dress would look better... on the floor” to Rivera on or around January 20, 2025. Callahan confirmed he made the comment about Rivera’s shoes looking like stripper shoes, but said he was joking around. Callahan said the heels on Rivera’s shoes were about 2.5” high. There were no direct witnesses to either alleged comment.

Rivera’s states that her educational activity was affected by Callahan’s behavior which caused her to arrive late to class, leave early from class, avoid the hallway where Callahan’s office is located which caused Rivera to walk the longer route around the building, and Rivera asking other professors to request her as their research assistant to avoid Callahan.

B. Did Callahan sexually assault (fondle) Rivera by touching her breast?

Rivera said on February 3, 2025, classes had only been going for a few weeks. Rivera said she was in the lab with Callahan and Chen. Callahan and Rivera were at the microscopes, and Chen was standing about 15 feet away, facing the microscopes. Rivera said Chen was working on updating their Material Safety Data Sheets (MSDS) in a binder.

Rivera said Callahan pointed to her shirt saying “you spilled coffee on your shirt” while touching Rivera’s left breast, just above the nipple, with the back of all the fingers on his right hand – in a caressing manner going back and forth repeatedly. Rivera described the assault as awkward and uncomfortable. Callahan violated her personal space. Rivera said before she could react, he looked at her chest and said “By the way, your headlights are on” while smirking. Rivera believes Callahan’s comment about headlights was about her nipples, as she later realized they could be seen through her shirt in the cold lab. Rivera stated at this point she jerked back and said “I got it, thanks”. Rivera said Callahan commented “you must have a hole in your lip” referring to her spilling her coffee causing the stain. Rivera said she turned away from Callahan and began walking over to the paper towels to try

to wipe off the stain and trying not to cry. Rivera said when she turned back around Chen was looking at her with an expression that made her think she saw what happened. Rivera said the lab time was about over, so she gathered her things and left without saying anything else. Rivera said when she was exiting the lab she believed Callahan had a “hard on” [erection of his penis in his pants] and was watching her walk away.

Chen said she was updating the MSDS binder and was standing at a tall lab table so she could spread the papers and binder out to have plenty of room. Chen said she looked up when she heard Callahan say something about Rivera’s shirt and witnessed Callahan’s hand touch Rivera’s breast. Chen described it as a lingering touch with the back of Callahan’s fingers and not a one fingered pointing. Chen said Rivera jumped back then walked toward the sink. When Rivera’s was gathering her items, Chen said she could see an upset look on Rivera’s face as Rivera exited the lab. Chen said she heard Callahan use the word shirt and headlight, in what she believes was two different statements, but didn’t clearly hear what was said. Chen said the countertops were in the way, and she could only see Callahan from the waist up. Chen said she was about 10-15 feet away from where Rivera and Callahan were.

Callahan confirmed he pointed out the coffee stain on Rivera’s shirt to be helpful so she could clean her shirt. Callahan said he pointed with one finger and said if he touched her at all it would have been near Rivera’s shoulder. Callahan was addiment in denying the touching of Rivera’s breast. Callahan confirmed Chen was in the lab during the incident. Callahan could not think of a reason why Chen would corroborate Rivera’s account that he touched Rivera’s breast and claimed Chen was on the other side of the lab, about 10 feet away. Callahan denied having an erection when he made the comment to Rivera. Callahan did not remember making the “Your headlights are on” comment, but did confirm he knew it was from movie and said it was a possible he said it.

Rivera said the night of the incident she confided in Thompson what happened earlier in the day with Callahan. Thompson urged Rivera to report the behavior and said, “What if he’s [Callahan] doing this to someone else!” Rivera said she was still scared to report it and planned to meet with her academic advisor the next day [February 4, 2025] and see if she could drop the class instead.

Thompson confirmed Rivera told her about Callahan touching her breast over the shirt in the lab and talking about her “headlights being on”. Thompson said Rivera was visibly upset and was cursing and crying about it.

On February 4, 2025, Rivera met with Morales and told him that she wanted to drop the class. Rivera said she told Morales the reason for her wanting to drop Callahan’s class by saying he had repeated brushing up against her thigh with his hands in the lab and about Callahan touching her breast the day before. Rivera was successful in dropping the class.

Morales stated that Rivera shared details with him about why she wanted to drop the class. Morales noted it was the early on in the semester and a common time to add/drop a class, so he didn’t think anything of it. Morales described Rivera as “upset” during their meeting. Morales said he didn’t report the alleged behavior because he wasn’t sure what really happened. Morales said it seemed like Rivera was relieved that she was able to drop the class, so he thought the matter was handled.

Examination of Evidence

Rivera and Chen both stated Callahan touched Rivera’s left breast with the back of all the fingers on his right hand – in a caressing manner going back and forth. Callahan agreed he pointed out the coffee stain in an effort to be helpful so Rivera could clean her shirt. However, Callahan said he pointed with one finger and if he did touch Rivera, it would have been near her shoulder and denied touching her breast.

Rivera alleged Callahan made the comment, “Your headlights are on” while touching her. Chen heard Callahan say the word “headlight” but did not hear the full comment from where she was located. Callahan could not remember making this comment to Rivera but said it was possible.

Rivera alleges as she was exiting the room Callahan showed signs of sexual arousal with an erect penis visible through his pants. Callahan denied having an erection. Chen was unable to see Callahan as he was standing behind the lab countertop and he was only visible from the waist up.

Thompson provided a witness statement; in which she corroborated that on February 3, when she arrived home, Rivera appeared upset and told her about Callahan touching her breast. Chen’s statements confirm that Rivera’s appeared visibly upset after the incident, jerking back, collecting her things and leaving before the lab period was finished. Morales statements confirm that on February 4, Rivera’s came to his office upset and requested to be drop from Callahan’s.

In an effort to avoid Callahan, Rivera elected to arrive late to class, leave early from class, avoid the hallway where Callahan’s office is located by walking the longer route around the Chemistry building to the lab, and Rivera asked other professors to request her as their research assistant.

Morales’ statement is consistent with Rivera’s account that an incident occurred early on in the spring semester, which ultimately preceded Rivera’s decision to drop Callahan’s class.

FINAL COMMENTS

Rivera was sent both of her interview summaries for review, and she responded with minor clarifications on each document **Exhibit 20**.

Callahan was sent his first interview summary for review, and he responded with commentary arguing the seriousness or the intention of what occurred with Rivera, but there were no substantive changes. Callahan requested a second interview, which resulted afterwards with a second interview summary being sent to him for review. Callahan eventually responded to the interview summary expressing how the process was causing undue stress and burden on his research. Callahan ultimately said that he would not be providing further commentary on the second interview summary **Exhibit 21; Email from Callahan on April 6, 2025**.

Rivera was sent the FDR and Exhibits for her 10-day review on May 23, 2025, and she responded with commentary on May 29, 2025, with no substantive changes **Exhibit 22**.

Callahan was sent the FDR and Exhibits for his 10-day review on May 23, 2025, and he responded with commentary on June 3, 2025, with no substantive changes **Exhibit 23**.

Additionally, the investigators found that Chen and Rivera are both straight A students and on the Dean's List for the Fall 2024 and Spring 2025 semesters. The Investigator found no reason to believe this complaint is rooted in any type of grade complaint (**Exhibits 15 & 16**).

This investigative report and exhibits will be forwarded to the Designated Administrator. The Designated Administrator will be responsible for determining whether there was a violation of A&M System policy (08.01) or regulation (08.01.01).

END OF REPORT

Live Mock Hearing

**Recap from
days 1 and 2**

**Fail To
Report**

**What is
Prompt?**

Elinore Tecson

Assistant General Counsel

Litigation and Dispute Resolution (LDR)

Phone number: 979-458-6136

Member Schools:

- **Tarleton State University**
- **TAEX**
- **TAR**
- **TEES**
- **TEEX**
- **TDEM**



Consent
Construct

Force

4

Capacity

Consent - clear, voluntary, and ongoing agreement to engage in a specific sexual act. Persons need not verbalize their consent to engage in a sexual act for there to be permission. Permission to engage in a sexual act may be indicated through physical actions rather than words.

A person who is asleep or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason, or whose agreement was made by threat, coercion, or force, cannot give consent.

Consent may be revoked by any party at any time.

Consent Tea Video

https://www.google.com/search?q=consent+tea+video&rlz=1C1RXQR_enUS1157US1157&oq=consent+tea+video&gs_lcrp=EgZjaHJvbWUyCQgAEEUYORiABDIHCAEQABiABDIHCAIQABiABDIHCAMQABiABDIICAQQABgWGB4yCAGFEAAYFhgeMggIBhAAGBYHHjIICAcQABgWGB4yCAGIEAAYFhgeMggICRAAGBYHHtIBCTM2MTNqMGoxNagCCLACAFEFHy3iaS8Dsi7xBR8t4mkvA7lu&sourceid=chrome&ie=UTF-8#fpstate=ive&vld=cid:b497b738,vid:oQbei5JGiT8,st:0

Alexandra Naismith

Assistant General Counsel

Student Affairs and Special Projects

Phone number: 979-458-6131

Member Schools:

- **Tarleton State University**
- **East Texas A&M University**
- **TAMU-Central Texas**
- **TAMU-Texarkana**



Philip McLemore

Assistant General Counsel

Student Affairs and Special Projects

Phone number: 979-458-6143

Member Schools:

- **TAMU-International**
- **TAMU-Corpus Christi**
- **TAMU-Kingsville**
- **TAMU-San Antonio**
- **West Texas A&M University**



Q/A
with
OGC