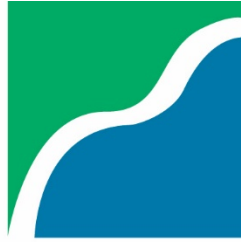


# University of Houston Clear Lake

In accordance with the Jeanne Clery Disclosure of Campus Security Police and Campus Statistics Act of 1998.

## **Annual Security and Fire Safety Report 2019**



# University of Houston Clear Lake

**Clear Lake Campus, Pearland Campus,  
Texas Medical Center Campus**

Prepared by:

University of Houston-Clear Lake Police Department

2700 Bay Area Blvd

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281-283-2222

[www.uhcl.edu/police](http://www.uhcl.edu/police)

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## 1.0 Welcome

Dear Reader:

The University of Houston-Clear Lake (UHCL) is committed to providing the members of the campus community and visitors with the safest and most secure environment possible. With this in mind, even the most extensive initiatives cannot succeed without awareness and cooperation from the community members who work, study, and live on campus. This report includes security and safety information for each of the UHCL campuses: UHCL, UHCL Pearland, and UHCL Texas Medical Center.

The *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* requires all postsecondary institutions to disclose campus crime statistics and security information. The Act was passed into law in 1990 as the *Crime Awareness and Campus Security Act*. A 1998 amendment renamed the act the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* in memory of a student who was slain in her dorm room in 1986 (the catalyst for the original legislation). The *Clery Act* requires higher education institutions to give timely warnings of crimes that represent a threat to the safety of students or employees, and to make public their campus security policies. It also requires the collection, reporting and dissemination of crime and fire data to the campus community and to the Department of Education. The Act is intended to provide employees, students and their families, and potential employees, students and families, as higher education consumers, with accurate, complete and timely information about safety on campus so that they can make informed decisions.

In compliance with this Act, the University's designated Clery Authority is Interim Chief of Police, Russell Miller. Through Chief Miller, the University of Houston-Clear Lake Police Department has produced the *Annual Security Report*, which contains the aforementioned information. In addition to campus crime and fire statistics, this report is also a resource guide for campus safety services and crime prevention strategies. Inquiries about this report may be directed to Chief Miller at (281) 283-2222 or by electronic mail: [policechief@uhcl.edu](mailto:policechief@uhcl.edu)

We hope this publication proves helpful and informative.

Sincerely,

Russell Miller,

*Interim Chief of Police*

University of Houston-Clear Lake

## 2.0 Definitions

The following is a list of definitions that apply to this report:

1. Campus:
  - a. Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and
  - b. Any building or property that is within or reasonably contiguous to the area identified in paragraph (a) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).
2. Campus Business Day: Monday through Friday, excluding any day when the institution is closed
3. Campus Business Hours: Between: 8 A.M. and 5 P.M. on business days.
4. Campus Security Authority (Include all of the following):
  - a. A campus Police Department or a campus security department of an institution.
  - b. Any individual or individuals who have responsibility for campus security but who do not constitute a campus Police Department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property).
  - c. Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
  - d. An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. If such an official is a pastoral or professional counselor, the official is not considered a campus security authority when acting as a pastoral or professional counselor. \*\*Pastoral or professional counselors are encouraged, if and when they deem appropriate, to inform persons they counsel of any procedures
5. Clery Authority: The person or persons responsible for overseeing the University's Clery compliance. This person is also responsible for the completion of the Annual Security Report, and the posting of Clery Statistics.
6. Non-Campus Building or Property:
  - a. Any building or property owned or controlled by a student organization that is officially recognized by the institution.
  - b. Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

7. On-Campus Student Housing Facility: Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.
8. Pastoral Counselor: A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.
9. Professional Counselor: A person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.
10. Public Property: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.
11. Referred for Disciplinary Action: The referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction. This does not include criminal charges obtained through the University Police. Criminal charges and campus disciplinary action are independent processes.
12. Test: Regularly scheduled drills, exercises, and appropriate follow-through activities, designed for assessment and evaluation of emergency plans and capabilities.
13. Voluntary Confidential Reporting: When the victim of a crime does not want to pursue action within the University system or the criminal justice system, but still wishes to report the crime and not reveal his/her identity. Crimes reported in confidentiality for inclusion in the annual security reports should be reported to the UHCL Police or any Campus Security Authority.

### **3.0 Reporting Criminal Activities, Emergencies & Other Incidents**

Community members, students, faculty, staff, and guests are encouraged to accurately and promptly report all crimes and public safety related incidents to the UHCL Police Department, particularly when the victim of a crime elects to, or is unable to, make such a report. Campus Security Authorities, as defined by the Clery Act, are required to promptly report all crimes affecting the University community to the UHCL Police Department.

This section includes campus policies regarding procedures by which students and others should report criminal actions or other emergencies occurring on campus and policies concerning the institution's response to such reports.

#### **3.1 Timely Warning**

The University of Houston-Clear Lake provides timely warnings about reported crimes to the campus community in a manner that will aid in the prevention of similar crimes if it is determined that a threat exists. Timely warnings are triggered by crimes that have already occurred but pose an ongoing threat. All campus crimes should be reported to the UHCL Police Department for the purpose of issuing timely warning and inclusion in the annual statistical reporting. The UHCL Police Department will immediately determine if the situation represents a threat to the campus community. If it is determined that there is a continuing threat, the Police Department will send out a timely alert throughout the UHCL community via media release, mass e-mail, text message, and/or a web posting of the incident to help prevent similar crimes from happening. The Police Department will not release the identity of the victims or reporting persons. The Police Department will make every effort to release timely warnings within an hour of confirming the reported crime.

#### **3.2 Emergency Notification**

Some In the event of a significant emergency or dangerous situation occurring on campus that involves an immediate threat to the health or safety of the campus community, the University has various systems in place for issuing an Emergency Notification to communicate information quickly. The methods of communicating Emergency Notifications include emails and text messages that can be sent to a phone, the UHCL ALERT website ([alert.uhcl.edu](http://alert.uhcl.edu)), or social media alerts. Some or all of these methods of communication may be activated in the event of an immediate threat to the UHCL community.

- UHCL PD will confirm that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the UHCL community.
- UHCL PD and the Office of Emergency Management will determine the appropriate segment of the UHCL community if the danger/threat is limited to a particular building or segment of the population to receive notification of the incident.

- UHCL PD and the Office of Emergency Management will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system. If issuing a notification will, in the judgment of the first responders, compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency, then notification may be delayed.
- UHCL PD and the Office of Emergency Management will communicate the threat to the UHCL community, or to the appropriate segment of the UHCL community if the danger/threat is limited to a particular building or segment of the population.

The University will post updates during an emergency on the UHCL ALERT website: [alert.uhcl.edu](http://alert.uhcl.edu). All members of the UHCL community are encouraged to notify UHCL PD of any situation or incident on campus that involves a significant emergency, or any dangerous situation that may involve an immediate or ongoing threat to the health and safety of students, faculty, staff and/or visitors to campus. UHCL PD has the responsibility of responding to, and summoning the necessary resources to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation. In addition, UHCL PD has a responsibility to respond to such incidents to determine if the situation does in fact pose a threat to the community. If so, federal law requires that the institution notify the campus community or the appropriate segments of the community that may be affected by the situation.

University departments are responsible for and encouraged to develop an Emergency Response Plan for their respective buildings. Additionally, UHCL PD has received training in the Incident Command System and Responding to Critical Incidents. When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually UHCL PD personnel, the Houston Fire Department (HFD) and Emergency Medical Services. These agencies typically respond and work together to manage the incident. Depending on the nature of the incident, other UHCL departments and other local or federal agencies could also be involved in responding to the incident. The University of Houston – Clear Lake Emergency Management Plan can be found at the Office of Emergency Management website:

<https://www.uhcl.edu/about/administrative-offices/environmental-health-safety/emergency-safety>.

Emergency notifications are typically made via the University's Mass Communication System that includes email and texting. All employees and students are automatically opted into the University's Mass Communication System at the time of registration and/or hire. Updates to contact information in the Mass Communication System are made within 24 hours of the changes being provided to the University. To confirm contact information, students and employees should log on to their e-services account. Although it is not recommended, students or staff wishing to unsubscribe from the Mass Communication System should send an email to [UHCLOEM@UHCL.EDU](mailto:UHCLOEM@UHCL.EDU) with their name and contact information. This information is also available through the Emergency Information tab at the bottom of the UHCL webpage

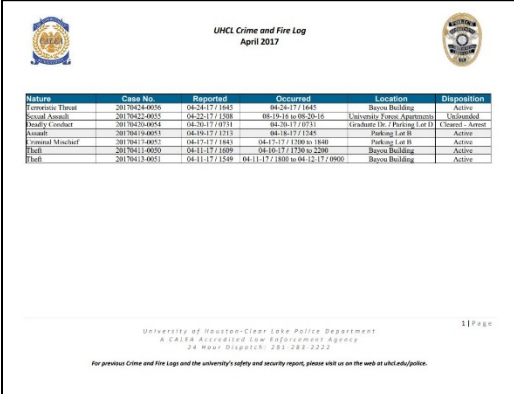


Emergency notification messages that require immediate reading due to imminent life safety threats start with the term **ALERT** in the subject line. When a message is received with this subject line coding, the community is asked to stop what they are doing, read and heed the message.

### 3.3 Daily Crime Log

The UHCL Police Department maintains a Daily Crime Log that records by chronological date any reported crime that occurs on or near campus, so the community and media have access to this information. This log includes the incident's nature, case number, date and time crime was reported, date and time crime occurred, general location where crime occurred, and the disposition. The UHCL Police Department updates the log within two (2) business days of the reporting of the information to the department. The UHCL Police Department maintains a seven-year archive of Daily Crime Logs available upon request. The Daily Crime Log is distributed as follows:

- UHCL Police Webpage:  
<https://www.uhcl.edu/police/reports>  
The webpage log is updated within two (2) days of reporting of the information and is the most up to date version of the log.
- A list of the previous month's log is emailed monthly to all University employees and students.
- The last three months of the log are posted to the Police Department's website.



Nature	Case No.	Reported	Occurred	Location	Disposition
Commons Threat	20170414-0050	04-24-17 / 1345	04-24-17 / 1445	Beeson Building	Active
Sexual Assault	20170422-0055	04-22-17 / 1358	04-19-16 to 05-20-16	University Police Apartments	Unfounded
Drugs & Alcohol	20170426-0054	04-26-17 / 0515	04-26-17 / 0515	Graduate 10 - Parking Lot B	Report - Active
Assault	20170419-0053	04-19-17 / 1313	04-18-17 / 1345	Parking Lot B	Active
Armed Mischief	20170411-0053	04-11-17 / 1403	04-17-17 / 1358 to 1340	Parking Lot B	Active
Theft	20170411-0050	04-11-17 / 1309	04-10-17 / 1330 to 2400	Beeson Building	Active
Theft	20170412-0051	04-11-17 / 1349	04-11-17 / 1300 to 04-12-17 / 0900	Beeson Building	Active

University of Houston-Clear Lake Police Department  
A CLEAR Accredited Law Enforcement Agency  
24 Hour Dispatch: 281-268-2323

For previous Crime and Fire Logs and the university's safety and security report, please visit us on the web at [uhcl.edu/police](http://uhcl.edu/police).

*Note: If there is clear and convincing evidence that the release of crime report information would jeopardize an ongoing criminal investigation or the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence, such information may be withheld from the Daily Crime Log until that risk is no longer likely to occur from the release of such information.*

### 3.4 Preparing the Annual Disclosure of Crime Statistics

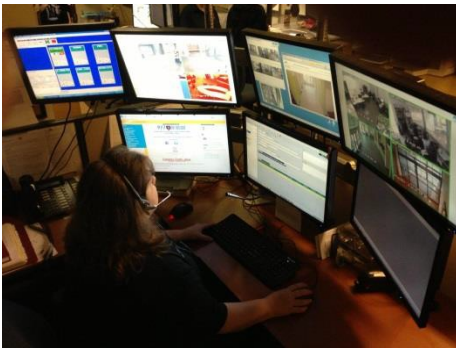
The University Chief of Police is the Clery Authority and is responsible for the preparation and distribution of the UHCL Annual Security Report. Information reported from all Campus Security Authorities is included in the report, as well as crimes reported to other law enforcement agencies who have jurisdictional control over Clery defined properties (Campus Property, Non-Campus Property and Public Property). The Clery Authority completes the report in compliance with Federal Clery Law and publishes the report by October 1 of each year. The report is accessible through the UHCL Police Department website [www.uhcl.edu/police](http://www.uhcl.edu/police)

## 3.5 Reporting Procedures

### 3.5.1 Information the Police Will Want to Know

When you call the police to report a crime, the Dispatcher will need certain information. For your safety, be prepared to answer all the questions the Dispatcher asks you and be specific. Don't downplay the importance of your call. Here are points to immediately consider when reporting a crime:

- Is anyone's life or safety threatened?
- Does anyone need medical assistance or an ambulance?
- Is the suspect(s) still there? (If so, make sure the Dispatcher knows this.)
- Does the suspect(s) have a weapon?



Crime in progress, or those involving life-threatening circumstances, receive the highest priority response. If the crime is still in progress, do what you can to ensure your own safety first before calling the police. If you are not at home, get to a public area - an open store, a restaurant or other well-populated location. If at home, an apartment, your office or classroom, move to a safe area, then call the police and tell the Dispatcher where you are.

When you call the police, this is the type of information the responding officers need to know:

Where:

- Where are you now?
- Where did the crime happen?
- If the suspects are gone, where did they go? In what direction?
- Did they use a car or some other transportation? Did you get the license number?

What:

- What exactly happened or is happening? Describe the situation in complete detail. (e.g., "Someone has just broken my window and inside my apartment.")
- What are the suspect(s) physical characteristics? (Gender, height, weight, hair color, race, etc.)
- What was the suspect wearing? (distinct colors of clothing)

When:

- When did the crime happen? Is it still in progress? (This is very important, as it may determine the level of response.)

Who:

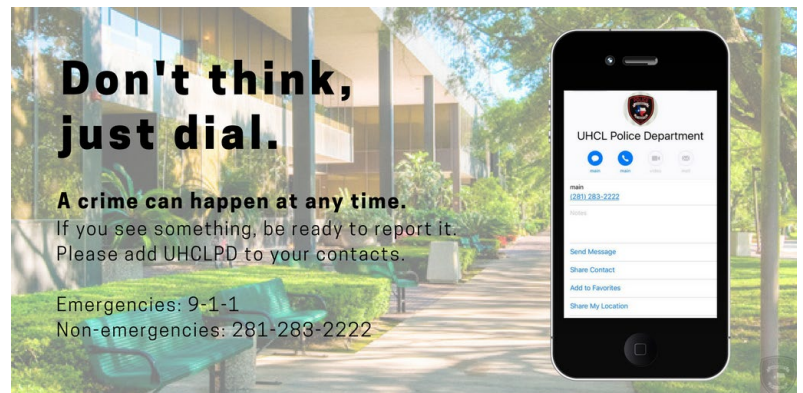
- Who are you?
- What phone number are you calling from?
- Don't hang up the phone until the Dispatcher tells you to do so.  
You may be put on hold while the Dispatcher contacts emergency responders.
- Make sure you always give the Dispatcher your call back number.



### 3.5.2 Using 911

The University of Houston-Clear Lake is a participating member of the Harris County 911 Network. You are welcome to report emergencies to the UHCL Police via 911, but it is important to know how these calls are routed. This section details how the Harris County 911 Network works.

- Dialing 911 from a hard line phone on-campus: If you dial 911 from a hard line (traditional) phone on campus, you will be connected to the Harris County 911 Operator who will determine whether you need medical, fire or police assistance. If you need police assistance, the operator's computer will signify you are calling from campus and the call will be transferred to the UHCL Police Dispatch Center via a dedicated 911 phone and computer terminal. You will then be connected to the UHCL Police Dispatcher. If you are on-campus and dial 911 in need of medical or fire service, the Harris County 911 Operator will transfer the call to the city's fire or EMS service. When the call is transferred, the UHCL Police will be notified of the call and subsequent transfer via a dedicated computer terminal.



- 911 for Emergency Calls  
ONLY. Please call 281-283-2222 for non-emergency requests for service.
- When dialing 911 from your cell phone (whether on campus or not): the Harris County 911 Operator will answer and send your call to the police, fire or medical service associated with the location of the cell tower from which your call signal was transmitted. This means if you call 911 from your cell on-campus, you will likely get the Houston Police Department because the campus does not have a dedicated cell tower. In this case, you need to specifically instruct the 911 Operator of your address (2700 Bay Area Boulevard)

and request your call be transferred to the University of Houston-Clear Lake Police Department.

- **The UHCL Police will always be able to respond faster than the city police to a campus emergency or significant event. This will expedite your call to our Dispatch Center.**
- The UHCL Police Dispatch Center will accept emergency calls via its regular phone number. If you prefer to bypass the 911 Operator as an intermediary, you may call **281-283-2222** for police assistance. Make sure you advise the Dispatcher immediately that you are in an emergency situation.

### 3.5.3 False Reporting

Making a false report to any emergency responder is a serious matter that also happens to be a criminal offense. False reporting creates a false sense of urgency and wastes the time of first responders, taking those valuable resources away from where they are needed. Examples of false reports include, but are not limited to, claiming a false crime against another, calling in a fake bomb threat, pulling a fire station when no fire exists, and activating a burglar alarm on purpose without a crime being in progress. Another example of a false report is activating a panic alarm in order to test response speed.

Making a false report or alarm is a violation of Texas Penal Code 42.06. It is a felony and punishable by both fines and imprisonment. The UHCL Police Department may seek criminal charges for instances of false report on the UHCL campus.

### 3.5.4 Police Response

Officers will respond as quickly as possible to any request for assistance, whether it is an emergency or not. Response times are based on current activity load and the urgency of the call. Crimes in progress, traffic accidents, medical emergencies, and persons in danger calls have a higher priority than other types of calls. Our average response times for these type calls are under one minute.



A Police Officer will meet with you to gather information and prepare an official report. The initial report will be forwarded to an investigator, who will review the report and evidence (if any) to attempt to determine the perpetrator(s) of the crime. In all instances of criminal activity, the UHCL Police Department works to determine the exact nature and perpetrator(s) of reported crimes for the purposes of developing a viable case to forward to the Harris County or Brazoria County District Attorney's Office for prosecution.

### 3.5.5 Voluntary Confidential Reporting / Convercent

Definition of Voluntary Confidential Reporting is when the victim of a crime does not want to pursue action with the University system or the criminal justice system, but still wishes to report the crime and not reveal their identity.

The University of Houston-Clear Lake strongly encourages everyone to report all crimes they are aware of in an accurate and timely manner to the UHCL Police Department, to include reporting crimes for victims who are unable to report it. For those who want to report crimes but do not want to report it to the Police Department, it is recommended that the crime be reported to the Dean of Students or Executive Director of Human Resources. There are some very good reasons to promptly report crime.

- Timely notification of crime may affect the safety of others. When UHCL Police receives reports of crime that may impact the safety of the community, we will quickly post notices (while protecting the victim's identity) around campus to warn other community members of possible risks.
- When you make your report, you assist UHCL Police in initiating an investigation, which in turn could lead to arrest, which means a possible dangerous offender and/or situation is removed from campus.

If you still would rather remain anonymous while reporting a crime, or any other violation of campus compliance or ethics, the University of Houston-Clear Lake has made available the Convercent anonymous incident reporting system.

In order to make a report, simply visit <https://app.convercent.com/en-us/LandingPage/b3d1c670-e06c-e711-80cf-000d3ab0d899>. A link to this website can be found at the Police Department web page: [www.uhcl.edu/police](http://www.uhcl.edu/police), click on "Report a Campus Safety Concern". From there, follow the prompts to make your report. If you prefer using the telephone, you may call 1-800-461-9330 to make your report. Again, you may submit these reports confidentially if you do not want to pursue legal action. If you wish charges to be filed and prosecution of the offender, you must call UHCL Police to make a report.

*Note: By state law, victims of sexual assault may file a complaint with the Police Department while protecting their identity from the public through the use of a pseudonym. Victims who wish to protect their identity should do so to the responding officer. In addition, the UHCL Police makes every effort to protect the privacy of all crime victims.*

### 3.6 Reporting a Crime or Emergency

The University of Houston-Clear Lake strongly encourages everyone to report all crimes they are aware of in an accurate and timely manner to the UHCL Police Department, to include reporting crimes for victims who are unable to report them. The UHCL Police Department is the primary agency for reporting and investigating all crimes that occur on University of Houston-Clear Lake property, whether the property is owned or leased by UHCL. Any instance of criminal or suspicious

acts and emergencies occurring on the UHCL campus, including the University Forest Apartments, the Texas Medical Center Annex and UHCL Pearland should be reported to the UHCL Police Department regardless of how seemingly insignificant the incident. UHCL Police operates a live 24-hour Dispatch Center staffed by state certified Police Dispatchers. The UHCL Police Dispatch Center can be reached at **281-283-2222** or in person at the UHCL Police Department located at 700 Bayou Road.

#### Reporting to Other Campus Security Authorities

UHCL acknowledges that some persons may be reluctant about reporting crimes to the UHCL police, but may be more willing to report incidents to other UHCL staff, and faculty campus officials, who are designated as Campus Security Authorities (CSA). The Clery Act also mandates that institutions must disclose statistics both for crimes reported to local police agencies and crimes reported to Campus Security Authorities. All Campus Security Authorities are required to immediately report crimes reported to them to the UHCL Police Department.

As a result of the negotiated rulemaking process which followed the signing into law of the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification was given to those considered to be campus security authorities. Campus “Pastoral Counselors” and Campus “Professional Counselors”, when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics.

#### Campus Security Authorities

A “Campus Security Authority” is a Clery Act-specific term that encompasses four groups of individuals and organizations associated with an institution.

CSA’s include:

- A campus Police Department or a campus Security Department of an institution (UHCL Police).
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus Police Department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property).
- Any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. An official is defined as *any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.*



## 4.0 Facility Access, Security & Maintenance

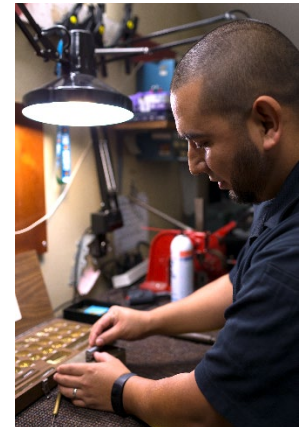
The UHCL Police Technical Services manages the University's access control and key distribution systems. Proximity cards are assigned to all faculty, staff and approved students. These cards are coded with the level of access to which they are authorized. UHCL Police Technical Services distributes keys to employees and students based upon office location and access approvals.

For employees, authorizations for other than general keys and access control require the written approval of the Department Head or Department Security Delegate controlling the space where access is being requested.

For students, all key and access control requests should be made through their college's designated Security Delegate. This delegate is normally attached to the respective college's Dean's Office.

Keys and access codes/cards are issued for entry to University buildings for conducting University business only. If abused, the UHCL Police reserve the right to repossess keys and deactivate access cards.

Institution master keys are closely guarded and are only distributed by approval from the Chief of Police.



### 4.1 Non-Residential Buildings

Most non-residential campus buildings on the Clear Lake and Pearland campus facilities are accessible to members of the campus community, guests, and visitors during normal hours of business, Monday - Friday, and for limited designated hours on Saturday and Sunday. Access times will vary depending upon the nature of the building and activity. Access to the Texas Medical Center campus is managed by the TMC Police Department.

Except for those authorized students, faculty, and staff, access to non-residential campus buildings is restricted after hours and during recognized holidays. It is the policy of the University of Houston-Clear Lake that after working and class hours, all buildings should be locked to maintain security of the buildings and their contents. Keep in mind, that work and class hours vary from building to building, dependent on activity. In general, buildings remain open until 11:00PM, except the Bayou Building on the Clear Lake campus, which remains open based upon the library's schedule – normally midnight on weekdays when class is in session and Delta Building, which maintains academic computing labs that are open until 1:00AM. The Clear Lake and Pearland campus buildings are monitored by random patrols by UHCL Police Officers, buildings with CCTV's are monitored 24 hours a day by UHCL Police Dispatch, and buildings with card access are monitored by electronic access control software. The Texas Medical Center campus is monitored by a Security Guard during business hours.

## 4.2 Residential Buildings

The University of Houston-Clear Lake has two on-campus residential facilities, the University Forest Apartments (UFA) and Hunter Hall.

Hunter Hall is the new on-campus Residence Hall. Hunter Hall remains secured twenty-four hours a day and requires card access for residents.

The University Forest Apartments (UFA) operates as an apartment complex and is managed privately through a contract service. While the UFA is located on University property, the contract company sets rules and shared facility hours. The UFA has twenty-four-hour card access through vehicle and pedestrian gates. Apartments are individually leased and assigned as available through UFA regulations.



The UHCL Police Department routinely patrols these properties and responds to requests for police service. The UHCL Office of Emergency Management and Environmental Health & Safety and UFA Management test fire and safety systems.

UFA and Hunter Hall residents can protect themselves and their property by making responsible decisions. Unescorted persons should not be given access afterhours. Other tips for resident security include, but are not limited to:

- Lock apartment or room exterior doors at all times; and windows when you leave your apartment.
- Close blinds when you leave your apartment; and do not flaunt your high-end electronics, jewelry or other valuables.
- Do not leave your car unlocked and do not leave anything visible in your car.
- If you hear or see something suspicious, call the UHCL Police immediately at **281-283-2222**.
- Review the public notice area regularly for updates on criminal or suspicious activity in the complex, or for safety training classes offered by UHCL PD.
- When going to the pool or shared access areas after hours, go with someone you trust. Do not go alone or with someone you do not know well.
- Get to know your neighbors, Resident Advisors, and Complex Management. Look out for one another.

**Security depends on the responsible actions of each resident for its effectiveness. Inaction or lack of consideration endangers all residents.**



### 4.3 Security and Facility Maintenance

Landscaping and outdoor lighting on campus are frequently surveyed and modified for pedestrian safety and security. Facilities Management and Construction personnel trim shrubs from sidewalks, walkways, and building entrances to enhance lighting and visibility. UHCL Office of Emergency Management and Environmental Health & Safety inspects campus walkways regularly, checking for adequate lighting, replacement of burned-out lights, and trip hazards. UHCL Police Department ensures exterior doors are locked on campus buildings each evening. Officers also report door and security hardware operating deficiencies. To report lighting outages or other facility hazards, please contact UHCL Facilities Management and Construction at **281-283-2250**. Work order can also be submitted through the Facilities Management and Construction website <https://www.uhcl.edu/about/administrative-offices/facilities/>.





## 5.0 Campus Law Enforcement

The University of Houston-Clear Lake Police Department is a nationally accredited law enforcement agency under the direction of Allen Hill, Chief of Police. The department has an authorized strength of forty-two full time employees (twenty-one sworn Peace Officers, twenty-one Civilian support personnel, and two part-time employees).



The department is organized into five components: The Office of the Chief of Police, the Operational Commander, Support Services, Field Operations, and Office of Emergency Management. These components work together to assure the University community receives the highest quality law enforcement and security services.

The University of Houston-Clear Lake has a population of approximately 10,500 students, staff and faculty. This does not include visitors to the campus, high school students who utilize the campus' parking lots and services, or individuals and groups that rent campus space for a variety of events each year. The UHCL Police Department's primary functions are the preservation of the public peace and order, the prevention and detection of crime, apprehension of offenders, the protection of persons and property, and the enforcement of the laws of the State of Texas. Through police and security programs such as automobile, ATV and foot patrol, safety transportation services, and implementation of security technologies, the UHCL Police Department endeavors to provide consistent and vigilant law enforcement services to the community.



University of Houston-Clear Lake Police Department



## 5.1 Police Department Mission Statement, Vision Statement and Core Values

### Mission Statement

The mission of the University of Houston-Clear Lake Police Department is to provide exceptional law enforcement service, effectively respond to critical and emergency situations, while proactively safeguarding the lives and liberties of our community.

### Vision Statement

The University of Houston-Clear Lake Police Department is united in a vision to serve the public and combat the criminal element to keep our community safe.

### Core Values

*Leadership* – We set and strive for excellence in all we do, whether it is visible to the public or not.

*Integrity* – We will uphold the highest standard of ethics, being honorable and truthful in all our actions, by consistently and fairly applying rules, regulations and laws.

*Professionalism* – We will treat everyone with dignity while maintaining a profession attitude at all time with pride and commitment in our role as University guardians.

*Service* – We will exemplify customer service by creating a safe and secure environment, finding ways to add value to the University community, and providing courteous and accurate information.



## 5.2 Police Department Organization and Management



Russell Miller  
Interim Chief of  
Police

The UHCL Police Department is organized into the Office of the Chief of Police, Operations Commander, Field Operations, Support Services, and Office of Emergency Management.

The Office of the Chief of Police manages all University law enforcement and security issues. The Chief of Police directs the mission of the department, assuring its support of the University's goals and objectives.

The Chief administers the department's resources to be a good steward of the public funds in which it has been entrusted. Working closely with other campus administrators, students and faculty, the Chief of Police develops programs, initiatives and practices to aid in providing a secure atmosphere in which the University conducts its business.



Kelley Reid  
Professional Standards  
Compliance Officer

Within the Office of the Chief of Police is the Office of Professional Standards. This unit serves the vital function of ensuring the University Police Department operates under the highest ethical climate and adheres to established best practices of the law enforcement service.

The Professional Standards Compliance Officer is a civilian specifically trained to manage the department's Accreditation, Public Information, Records, and Crime Reporting.

## Assistant Chief

The Assistant Chief is the Operational Commander for the department. This includes oversight of Field Operations and Support Services, as well as assisting the Office of the Chief of Police with administration of the department.





Lt. Kyle Pirtle  
Field Operations  
Commander

## Field Operations

Field Operations is commanded by a Police Lieutenant. It is arguably the most visible component of the Police Department. They are the men and women in uniform who patrol the buildings and streets of the University.

Operations consists of three patrol squads and one dispatch center, covering 24-hours a day, seven days a week, every day of the year. Police Sergeants, who report directly to the Field Operations Commander, lead each squad.

Operations is responsible for:

- Patrol and Emergency Response
- Victim/Witness Assistance
- ATV Patrol
- Emergency Preparedness
- Traffic Enforcement
- Motorist Assistance
- Police Dispatch Center



Sgt. Eugene Krueger  
Patrol Squad A Leader



Sgt. Jared Goldman  
Patrol Squad B Leader

## Support Services

Support Services handles

- Criminal Investigations
- Recruiting
- Special Events Planning
- Property and Evidence Management
- Community Outreach
- University Background Checks
- Administrative Investigations
- Access Control, Alarms, CCTV Systems
- Maintains Security Network
- Departmental Electronics Management.
- Hawk Patrol – Motorist Assist
- Lost and Found



Sgt. Christina Hux  
Crime Prevention and  
Investigations Squad Leader



Paul Ayala  
Police Systems Operations  
Manager



Marlene Richards  
Police Civilian Supervisor



## Office of Emergency Management and Environmental, Health, and Safety



Al Black  
Director of Emergency  
Management and Fire  
Safety

The Director of Emergency Management and Fire Safety commands the Office of Emergency Management. This office oversees all aspects of UHCL's Emergency Management Plan including prevention/mitigation, preparedness, response and recovery. The commander develops mutual aid agreements with all applicable local and state agencies and maintains strong communications and joint working relationships through shared planning and tabletop exercises. They ensure UHCL's full compliance with state and federal emergency management regulations through the multi-hazard emergency plan and are prepared for emergency situations. The Director manages the university's fire and life safety services to implement and enforce applicable safety codes, policies and procedures. Additionally, the Director of Emergency Management and Fire Safety is a member of the Hurricane Ride-Out crew and subject to 24-hour emergency callout.



### 5.3 Police Department Accreditation

The UHCL Police Department continuously monitors its existing programs for opportunities to increase efficiency and improve service. We model our policing techniques and programs to reflect the very best standards of law enforcement around the country. In addition, the UHCL Police is always looking for opportunities to expand its community outreach. It is our intent to increase the community's participation and establish effective collaboration of resources to create and maintain a safe and secure work and study environment.

In 2012 the UHCL PD became accredited through the Commission on Accreditation for Law Enforcement Agencies (CALEA) and was the first police department in the UH System to receive accreditation. In 2015, the UHCL PD was re-accredited through CALEA.



In 2017, the UHCL PD decided that IACLEA Accreditation would better serve the needs of the police department and the department began the process of switching accrediting agencies. In January 2018, a team of outside assessors inspected the department's directives manual, proofs of compliance, and practices. After an extensive review, the Commission unanimously granted accreditation to the University of Houston-Clear Lake

Police Department on April 24, 2018.

Now that accreditation has been attained, it must still be maintained. As a living process, the UHCL Police Department must continue to demonstrate compliance with accreditation standards.

Accreditation is yet another means by which the UHCL Police Department demonstrates its commitment to the core values of Leadership, Integrity, Professionalism and Service.



## 5.4 Campus Law Enforcement Authority and Jurisdiction

The University of Houston-Clear Lake (UHCL) is authorized by §51.203 of the Texas Education Code to certify and employ commissioned Police Officers to serve its law enforcement and security needs. University Police Officers are fully state certified and have the same powers as any other Police Officer in the State of Texas. While UHCL Police Officers hold law enforcement authority state wide, its primary jurisdiction is Harris and Brazoria Counties with a focus on the UHCL, UHCL Pearland and UHCL Texas Medical Center campuses and outlying University properties. The UHCL Police Department also takes action as needed to provide assistance to other law enforcement agencies and to protect University personnel and assets in the areas adjacent to and / or near each UHCL campus. UHCL Police Officers carry firearms and may arrest violators and refer them to the judicial system for prosecution.

In addition to commissioned Police Officers, the UHCL Police Department contracts one non-commissioned Security Officer through the University of Houston Police Department. The Security Officer provides security services at the UHCL Texas Medical Center campus and serves as support staff for the police department by providing a visible uniform presence to deter crime. Security Officers and civilian employees have the same level of arrest authority as a citizen as authorized by the Texas Code of Criminal Procedures. Security officers report criminal incidents to the Police Officers who are designated first responders. The UHCL Police Department has the responsibility and duty to enforce all local, state, and federal laws.



## 5.5 Working Relationships with Other Campus Departments and Police Agencies

The UHCL Police Department maintains a close working relationship with the Dean of Students and Human Resources. All criminal offenses involving a student perpetrator are referred for campus disciplinary action to the Dean of Students. All criminal offenses involving an employee perpetrator are referred for campus disciplinary action to the Executive Director of Human Resources. Campus Disciplinary Action is taken separately from the Police Department's criminal investigation and/or criminal prosecution. For some minor offenses, the Chief of Police may waive criminal prosecution in lieu of campus disciplinary action; however, only the Chief of Police may make this determination. By law, UHCL personnel not associated with the Police Department cannot instruct the Police Department to waive viable criminal prosecution. Statistics for cases not prosecuted but forwarded to the Dean of Students or Human Resources, will still appear in the University's Daily Crime Log and the annual statistical summaries included in this report.



Every month, the UHCL Police Department sends its Uniform Crime Report to the Texas Department of Public Safety for inclusion of crime statistics that are published by the Federal Bureau of Investigation. The UHCL Police Department has a written memoranda of understanding with the Houston Police, Houston Metro Police, HISD Police Department and several other surrounding police department'. In addition, the UHCL Police Department maintains a close working relationship with local, state and federal law enforcement agencies to include the Pasadena Police Department, Harris County Sheriff's Office, Galveston County Sheriff's Office, Harris County Precinct 8 Constables Office, Webster Police Department, Nassau Bay Police Department, Seabrook Police Department, Texas Department of Public Safety, Department of Homeland Security, and the Federal Bureau of Investigation. The University of Houston-Clear Lake Police Department is also an active member agency of the Houston Fusion Center criminal intelligence collection and sharing bureau and the Bay Area Investigators Group.



Relationships on both the individual and organizational levels improve our opportunity for success and build trust among fellow professionals. We share information with other agencies in order to enhance our ability for prosecution, crime prevention, and community problem solving. In addition to our work with other law enforcement agencies, we strive to improve our relationships with other functional areas of the University. These relationships are cultivated to enhance our role as Emergency First Responders.




## 6.0 Crime Prevention and Community Outreach

### 6.1 Security Awareness/ Crime Prevention Programs / Police Safety Enhancement Services

Every member of the University community is a functional crime prevention operative. University of Houston-Clear Lake Police Department Officers are specifically trained to interact with the community daily, work with them to resolve their concerns, and empower each community member to focus on proven crime prevention techniques.

Formally, the UHCL Police Department's Crime Prevention and Investigations Unit coordinate's community training programs and conducts physical security surveys. One of the Police Department's stated goals is to "engage the University community to participate in their own protection and safety through community outreach programs." The UHCL Police Department offers several programs for students, faculty, and staff designed to meet this goal:

- *Monthly Table Presentations:* Members of the department stage training and information programs in public areas of University buildings with topics changing monthly to address hot and / or important safety topics. The presentations are conducted and rotated throughout the campus.
- *Community Outreach Promoting Safety (COPS) Program:* Monthly, the department sends a community-wide email of a PowerPoint slide on a variety of crime prevention topics. The department encourages the faculty to incorporate the slides in their classroom presentations. University televisions run the slides throughout the month. The purpose of the slides is to get students and staff talking about their safety.
- *Monthly Crime Statistics Email:* Monthly, the department emails the previous month's crime log to all students and staff to make them aware of crime happenings on campus.
- *Safety Transportation Service:* The UHCL Police Department provides safety transportation services upon request for all faculty, staff, students and visitors from dusk to dawn. This service is available for transportation to any points within the UHCL main campus borders. The service may be requested by calling **281-283-2222**. The University also provides a shuttle bus that operates on a set schedule. The shuttle makes runs to specific on and off campus locations. For access to this service and its schedule, visit <https://www.uhcl.edu/campus-life/services/shuttle-service/courtesy-shuttle-form>
- *Crime Prevention Presentations:* Crime prevention presentation are held for all students, student organizations, and campus departments, faculty, and staff employees. Programs offered throughout the year by the UHCL Police Department consist of Rape Aggression and Defense (RAD), Civilian Response to an Active Shooter Event (CRASE), and building Security Surveys.

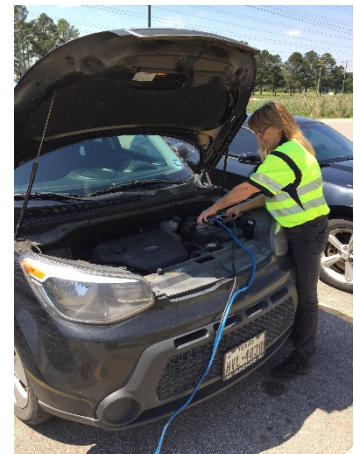
- **Educational Seminars:** The University of Houston-Clear Lake Police Department conducts educational seminars throughout the year to raise awareness of issues related to sexual assault and rape. The Police Department works with the UHCL Title IX Coordinator to develop reporting and investigative procedures that protect the sexual assault survivor, while insuring justice is served. The UHCL Police has an agreement with Bay Area Turning Point to provide educational literature and programs about sexual assault and domestic abuse for the University community, as well as, respond as victim advocates if ever the need arises.
- 
- **Security Surveys:** Comprehensive Security Site Surveys or audits are made for a number of campus facilities and high risk areas each year, and at the request of the occupants of an office or other area of the campus. An Officer holding a Crime Prevention Specialist certification completes a report for the suite which includes recommendations to improve occupant safety such as adjusting doors and locks and the installation of panic buttons. Surveys of exterior lighting are conducted regularly by UHCL PD patrol officers. Exterior doors and grounds are examined by UHCL PD Police Patrol Officers on their daily patrol, and malfunctions/required-repairs are reported to UHCL Facilities Management and Construction Department.
  - **Active Shooter:** Shootings on America's college campuses and in other public locales have been widely publicized and are of great concern to the community and to law enforcement. The University of Houston-Clear Lake Police Department specifically trains and equips its officers to effectively respond to an active shooter situation. All UHCL Officers undergo extensive hands on active shooter training. Within a year of hire, each UHCL Police Officer attends an intense "live active shooter" course called ALERRT (Advanced Law Enforcement Rapid Response Training – [www.alerrt.org](http://www.alerrt.org)). Several agency members are certified instructors and all agency personnel partake in annual refresher training and exercises on campus.
  - **CRASE:** The UHCL Police Department also offers Civilian Response to Active Shooter Events (CRASE) training classes for community members on how to respond if they are present during an active shooter event. In addition to training classes, the UHCL Police Department offers a training video to community members on its website ([www.uhcl.edu/police](http://www.uhcl.edu/police)). The video training is transferable to all active shooter situations and locales. The UHCL Police Department encourages you to sit down with your family and friends, watch the video, and discuss the survival techniques presented in the training.





- **Hawk Patrol:** In September 2012, the UHCL Police Department initiated its inaugural lot patrol program. Part-time employees, who have passed the department's rigorous background investigation, patrol the parking lots on foot and in vehicles from 1:00PM – 10:00PM, Monday through Thursday during the fall and spring semesters. The lot patrol, called Hawk Patrol, wears bright Hi-Vis yellow uniform shirts and drive the specially marked Hawk Vehicles. They provide general security, safety transportation escorts upon requests, and basic motorist assistance such as car unlocks, jump-starts and airing tires. To request Hawk Patrol services, call **281-283-2222**.

- **Emergency Information Hotline:** The UHCL Emergency Management and Fire Safety Director operates the Emergency Information Hotline for the University of Houston-Clear Lake. The hotline number (**281-283-2221**) leads to a recorded message designed to share weather information, building closures, and other emergency messages as needed. This automated line is the first to be updated when the University experiences an unexpected closure. If you are unsure of the University's operating status, call **281-283-2221** to confirm that information.
- **Lost and Found:** The Police Department maintains a Lost and Found collection for certain items left behind on campus. Items are kept for sixty (60) days before being destroyed or sent to charity. Due to the limited storage space available for found items, only high value, non-perishable items are accepted. For a complete list of accepted found items, please visit the UHCL Police Department website at [www.uhcl.edu/police](http://www.uhcl.edu/police). To find out if your item has been turned in to Lost and Found, please call **281-283-2222**.
- **Motorist Assistance:** The UHCL Police Department gladly assists anyone on-campus experiencing difficulty with their vehicle to include: jump-starts, door unlocks, running out of gas, and flat tires. This service may be requested by calling **281-283-2222**.
- **Police Website:** The UHCL Police Department website is [www.uhcl.edu/police](http://www.uhcl.edu/police). From the website, students, staff, faculty and visitors can find resources covering crime prevention, access to the Daily Crime Log, special bulletins, information on the Police Department and its services, and electronic services for access control / key requests, public information and much more.
- **Clery Statistics:** Per the *Clery Act*, the University publishes its Clery defined crime statistics for the previous three years at [www.uhcl.edu/police](http://www.uhcl.edu/police). A complete listing of all crime statistics (Clery and non-Clery defined crimes) through the Daily Crime Log is available on the Police Department's web site.



- **Classroom Training:** The Police Department offers a variety of classes that are either scheduled throughout the year or can be requested by departments, classes or student organizations. These programs are free of charge. The following programs are part of the UHCL Police crime prevention repertoire:

- CRASE
- Crime Prevention 101
- Critical Incident Response
- Hurricane Safety
- Office Risk Assessment
- Parking Lot Safety
- Personal Safety
- Refuse to Be a Victim
- Theft Prevention
- Women's Safety Issues

To request a particular program, call the Crime Prevention and Investigations Unit at **281-283-2222** or email [policechief@uhcl.edu](mailto:policechief@uhcl.edu). If you would like a topic presented that is not specifically listed above, the Police Department can specially design a presentation tailored to your concerns or interests.

## 6.2 Crime Prevention / Your Role in Campus Safety



A secure environment is made possible through community involvement in crime prevention. The purpose of community crime prevention is simple: to help you recognize your own vulnerability to crime and reduce your risk through preventive action and cooperation with the police.

Theft is the most common crime on the UHCL campus. Most thefts occur during the daylight hours, where thieves enter the structure without forced entry. It is important to watch out for one another. In your office, study and work spaces exchange information about your schedule with colleagues. Observe your neighbors' study and work areas. Do not leave valuable items unsecured and / or unattended. Call the police when something seems suspicious or out of place. If you see something, say something.

A high percentage of campus crimes are incidents of opportunity. Often, we contribute to the crime rate by needlessly placing our property or ourselves at risk. The lifeblood of criminal activity contains three elements, called the Crime Triangle:

1. **Desire** of a criminal to commit a crime.
2. **Target** of the criminal's desire.
3. **Opportunity** for the crime to be committed.



We are limited in our ability to impact the first two elements. However, removing or reducing the criminal's **opportunity** is the best defense. Like a fire feeding on oxygen, crime feeds on

opportunity. Prevention efforts can be effective reducing these opportunities. You play an essential role in crime prevention. Be cautious, careful, and alert to your own safety. Protect your possessions and University property. Keep property locked up if possible. Lock your office door when leaving and do not leave valuables unattended. Walk to your vehicle with another person or in a group. Use common sense and always stay alert. Trust your self-preservation instincts. And always remember to call the police to report suspicious persons or activity as soon as it is safe for you to do so.

### 6.3 Behavioral Intervention Team (CARE Team)

The Dean of Students Office, Student Affairs, Intercultural Student Services, Counseling Services, and the UHCL Police Department participate as members of the UHCL CARE Team (Crisis Awareness Response Emergency Team). The CARE Team is a behavioral intervention team that reviews and mitigates reports of campus violence, student or staff mental crisis, and suspicious behavior. If you feel a friend, colleague, or student is in a crisis or showing signs of a developing crisis, please call the 24-hour CARE Line at



**281-283-2273 (281-283-C-A-R-E)** or send a message to the CARE Team via the CARE link located on the Dean of Students website: <https://www.uhcl.edu/dean-of-students>

**Remember, if a threat is imminent, please do not call this line, but call 281-283-2222 or 911 for immediate emergency response.**

## 6.4 Social Media

The UHCL Police Department actively uses social media as a means to communicate campus news, safety alerts, and other pertinent security information to the UHCL community.



On Facebook ([www.facebook.com](http://www.facebook.com)), UHCL Police can be found by searching “UHCL Police Department” or @UHCLPD.

On Twitter ([www.twitter.com](http://www.twitter.com)), UHCL Police can be found by searching @UHCLPD.



On Instagram ([www.instagram.com](http://www.instagram.com)), UHCL can be found by searching @UHCLPD.



On YouTube ([www.youtube.com](http://www.youtube.com)), UHCL PD can be found by searching “University of Houston-Clear Lake Police Department”.

Links to all social media sites are located on the UHCL Police website ([www.uhcl.edu/police](http://www.uhcl.edu/police)).

## 7.0 Crime Statistics

This section contains the campus crime statistics. Subsections 7.1 – 7.4 focus on the defined *Clery Crime Statistics* from 2016-2018. These are the crime statistics the University is obligated to report per the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*.

Subsection 7.5 details campus crime statistics. Subsections 7.1 – 7.4 focus on the defined *Clery Crime Statistics* from 2015 – 2017. These are the crime statistics the University is obligated to report per the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*.

## 7.1 Applicable Crimes

Per Federal Clery Law, certain crimes reported to campus security authorities occurring on campus, on non-campus property, and on public property during the most recently completed calendar year and during the two preceding calendar years must be included in the Annual Security Report. The crimes that must be included in the Clery statistical summary are:

- Murder & Non-Negligent Manslaughter
- Manslaughter by Negligence
- Sexual Assault (Sex Offenses)
- Rape
- Fondling
- Incest
- Statutory Rape
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- ALL Hate Crimes
- Dating Violence
- Domestic Violence
- Stalking
- Arrests or referrals for campus disciplinary action for
- Liquor Law Violations
- Drug-related Violations
- Weapons Possession

All crimes reported under Clery are presented by geographical reporting locations.

## 7.2 Applicable Reporting Locations and Campus Maps

For purposes of reporting Clery statistics, the law requires the reporting institutions separate the categories and criminal offenses by geographical reporting locations. Those locations are:

- On-Campus
- Non-campus Building or Property
- Public Property
- Residential Facilities for Students  
On-Campus





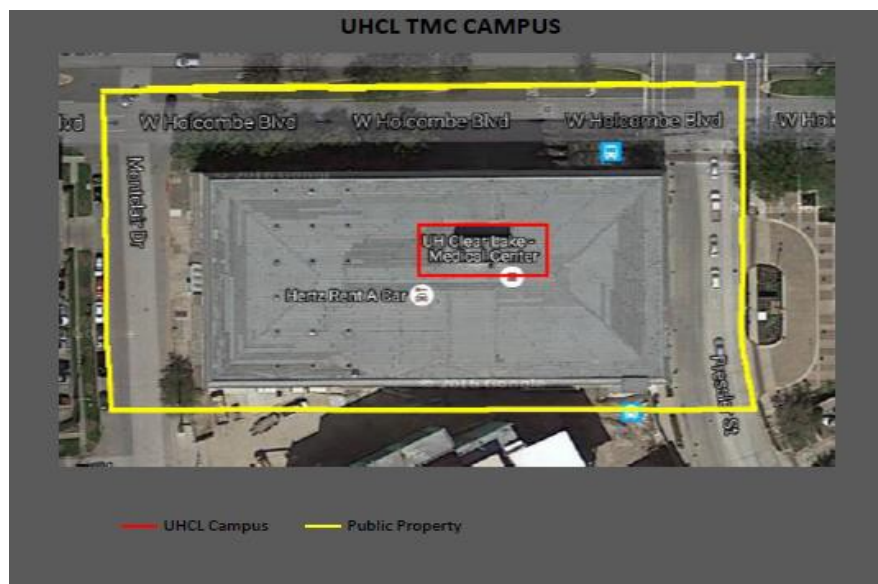
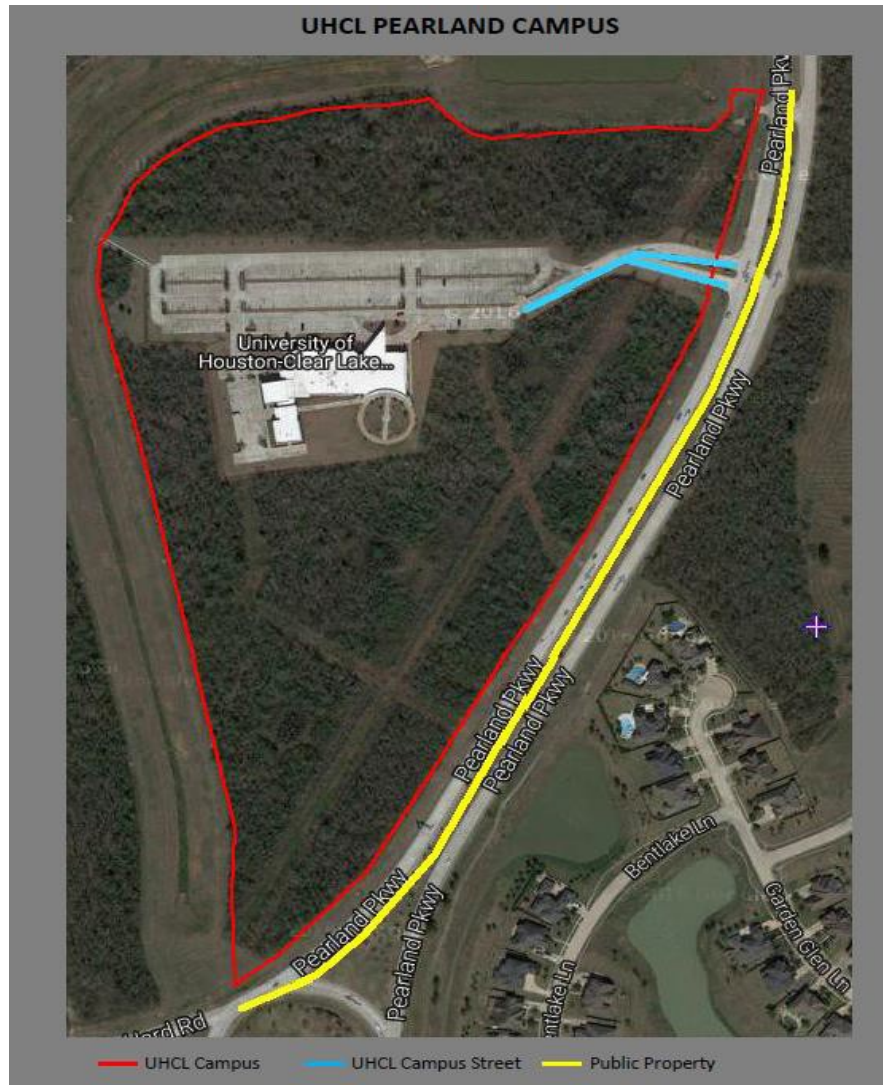
Key:

UHCL Campus

UHCL Campus Housing

UHCL Campus Streets

Public Property



## 7.4 Applicable Crime Definitions

Not every crime is a Clery Act defined reportable crime. Similar to applicable reporting locations and geographical considerations, Clery Act statistics are specific. The Clery Act requires educational institutions to disclose four general categories of crime, with classifications based on the Federal Bureau of Investigation (FBI) Uniform Crime Reporting Handbook (UCR). Those four general categories are

- Criminal Offenses
- Alcohol / Drug / Weapons Violation Arrests
- Hate Crimes
- Violence Against Women

### Criminal Offenses

- **Murder and Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.
- **Manslaughter by Negligence:** The killing of another person through gross negligence.
- **Sexual Assault (Sex Offenses):** Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.
  - **Rape:** The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.
  - **Fondling:** The touching of the private body part of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
  - **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.
- **Robbery:** The taking of attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- **Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.



- **Burglary:** The unlawful entry of a structure to commit a felony or a theft.
- **Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle.
- **Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

## **Hate Crimes**

*Hate Crime: A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.*

- **Race:** A preformed negative attitude toward a group of persons who possess common physical characteristics, (e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks or African Americans, whites).
- **Religion:** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, (e.g., Catholics, Jews, Protestants, Atheists).
- **Sexual Orientation:** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual Orientation is the term for a person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.
- **Gender:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, (e.g., male or female).
- **Gender Identity:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, (e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as such).
- **Ethnicity:** A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term "race" in that "race" refers to a grouping based mostly upon biological criteria, while "ethnicity" also encompasses additional cultural factors.
- **National Origin:** A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain

customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.

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

For Clery Act purposes, Hate Crimes include any of the following offenses that are motivated by bias.

- Murder and Non-Negligent Manslaughter
  - Sexual Assault
  - Robbery
  - Aggravated Assault
  - Burglary
  - Motor Vehicle Theft
  - Arson
  - Larceny-Theft
  - Simply Assault
  - Intimidation
  - Destruction/Damage/Vandalism of Property
- 
- **Larceny-Theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.
  - **Simple Assault:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
  - **Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
  - **Destruction/Damage/Vandalism of Property:** To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

## **Violence Against Women Act Crimes**

*The Violence Against Women Reauthorization Act (VAWA) adds the following crimes to the list of crimes that must be disclosed as part of the Annual Security Report:*

- **Dating Violence:** violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition-



- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.
- **Domestic Violence:** A felony or misdemeanor crimes of violence committed –
  - By a current or former spouse or intimate partner of the victim;
  - By a person with whom the victim shares a child in common;
  - By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
  - By a person similarly situated to a spouse of the victim under the domestic or family violence laws of jurisdiction in which the crime of violence occurred;
  - By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- **Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to-
  - Fear for his/her safety or the safety of others; or
  - Suffer substantial emotional distress.



For the purpose of this definition-

- **Course of conduct** means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- **Reasonable person** means a reasonable person under similar circumstances and with similar identities to the victim.
- **Substantial emotional distress** means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

Arrests and Disciplinary Referrals for Violations of Weapons, Drug Abuse and Liquor Laws

- **Weapons Law Violation:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.
- **Drug Abuse Violation:** The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their

preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

- **Liquor Law Violation:** The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.
- **Referred for Disciplinary Action:** The referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction.

## 7.5 Clery Reportable Crime Statistics

The following tables contain the defined Clery crimes reported in compliance with the Clery Act. These numbers reflect crimes reported to the University of Houston-Clear Lake. Crimes are recorded in the calendar year reported.

### 7.5.1 University of Houston Clear Lake Campus

#### Criminal Offenses

UNIVERSITY OF HOUSTON-CLEAR LAKE CRIMINAL OFFENSES					
OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITIES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
MANSLAUGHTER BY NEGLECT	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
RAPE	2018	0	0	0	0
	2017	0	0	0	0
	2016	1	1	0	0
FONDLING	2018	2	0	0	0
	2017	1	0	0	0
	2016	0	0	0	0
INCEST	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
STATUTORY RAPE	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
ROBBERY	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
AGGRAVATED ASSAULT	2018	1	0	0	0
	2017	0	0	0	1
	2016	0	0	0	0
BURGLARY	2018	0	0	0	0
	2017	0	0	0	0
	2016	5	4	0	0
MOTOR VEHICLE THEFT	2018	0	0	0	0
	2017	1	0	0	0
	2016	1	0	0	0
ARSON	2018	0	0	0	0
	2017	1	0	0	0
	2016	0	0	0	0



## Biased Motivated Criminal Offenses

UNIVERSITY OF HOUSTON-CLEAR LAKE BIASED MOTIVATED CRIMINAL OFFENSES					
OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITIES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON- NEGLIGENT MANSLAUGHTER	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
	2018	0	0	0	0
RAPE	2017	0	0	0	0
	2016	0	0	0	0
	2018	0	0	0	0
FONDLING	2017	0	0	0	0
	2016	0	0	0	0
	2018	0	0	0	0
INCEST	2017	0	0	0	0
	2016	0	0	0	0
	2018	0	0	0	0
STATUTORY RAPE	2017	0	0	0	0
	2016	0	0	0	0
	2018	0	0	0	0
ROBBERY	2017	0	0	0	0
	2016	0	0	0	0
	2018	0	0	0	0
AGGRAVATED ASSAULT	2017	0	0	0	0
	2016	0	0	0	0
	2018	0	0	0	0
BURGLARY	2017	0	0	0	0
	2016	0	0	0	0
	2018	0	0	0	0
MOTOR VEHICLE THEFT	2017	0	0	0	0
	2016	0	0	0	0
	2018	0	0	0	0
ARSON	2017	0	0	0	0
	2016	0	0	0	0
	2018	0	0	0	0
LARCENY THEFT	2017	0	0	0	0
	2016	0	0	0	0
	2018	0	0	0	0
SIMPLE ASSAULT	2017	0	0	0	0
	2016	1	0	0	0
	2018	0	0	0	0
INTIMIDATION	2017	0	0	0	0
	2016	0	0	0	0
	2018	0	0	0	0
DESTRUCTION/DAMAGE /VANDALISM OF PROPERTY	2017	1	0	0	0
	2016	0	0	0	0
	2018	0	0	0	0

## VAWA Offenses

UNIVERSITY OF HOUSTON-CLEAR LAKE VAWA OFFENSES					
OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITIES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2018	1	1	0	0
	2017	0	0	0	0
	2016	0	0	0	0
DATING VIOLENCE	2018	0	0	0	0
	2017	1	1	0	0
	2016	0	0	0	0
STALKING	2018	8	1	0	0
	2017	8	1	0	0
	2016	6	1	0	0

## Arrests and Disciplinary Referrals

UNIVERSITY OF HOUSTON-CLEAR LAKE ARRESTS AND DISCIPLINARY REFERRALS					
OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITIES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
ARRESTS: WEAPONS: CARRYING, POSSESSING, ETC.	2018	0	0	0	0
	2017	0	0	0	1
	2016	0	0	0	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2018	0	0	0	0
	2017	1	1	0	0
	2016	1	1	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

### 2016

- 1 Unfounded Stalking on campus

### 2017

- 1 Unfounded Sexual Assault in Residential Housing
- 1 Unfounded Stalking on campus

### 2018

- 1 Unfounded Fondling on campus
- 1 Unfounded Stalking on campus

## University of Houston-Clear Lake Pearland Campus

### Criminal Offenses

UNIVERSITY OF HOUSTON-CLEAR LAKE PEARLAND CRIMINAL OFFENSES					
OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITIES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON- NEGLIGENT MANSLAUGHTER	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
RAPE	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
FONDLING	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
INCEST	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
STATUTORY RAPE	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
ROBBERY	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
AGGRAVATED ASSAULT	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
BURGLARY	2018	1	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
MOTOR VEHICLE THEFT	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
ARSON	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

## Biased Motivated Criminal Offenses

UNIVERSITY OF HOUSTON-CLEAR LAKE PEARLAND BIASED MOTIVATED CRIMINAL OFFENSES					
OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITIES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON- NEGLIGENT MANSLAUGHTER	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
RAPE	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
FONDLING	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
INCEST	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
STATUTORY RAPE	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
ROBBERY	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
AGGRAVATED ASSAULT	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
BURGLARY	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
MOTOR VEHICLE THEFT	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
ARSON	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
LARCENY THEFT	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
SIMPLE ASSAULT	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
INTIMIDATION	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
DESTRUCTION/DAMAGE /VANDALISM OF PROPERTY	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

## VAWA Offenses

UNIVERSITY OF HOUSTON-CLEAR PEARLAND LAKE VAWA OFFENSES					
OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITIES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
DATING VIOLENCE	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
STALKING	2018	1	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

## Arrests and Disciplinary Referrals

UNIVERSITY OF HOUSTON-CLEAR LAKE PEARLAND ARRESTS AND DISCIPLINARY REFERRALS					
OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITIES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
ARRESTS: WEAPONS: CARRYING, POSSESSING, ETC.	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

2016, 2017, and 2018

- No unfounded crimes & no biased motivated crimes.

## University of Houston-Clear Lake Texas Medical Center Campus

### Criminal Offenses

UNIVERSITY OF HOUSTON-CLEAR LAKE TEXAS MEDICAL CENTER CRIMINAL OFFENSES					
OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITIES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON- NEGLIGENT MANSLAUGHTER	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
RAPE	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
FONDLING	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
INCEST	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
STATUTORY RAPE	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
ROBBERY	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
AGGRAVATED ASSAULT	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
BURGLARY	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
MOTOR VEHICLE THEFT	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
ARSON	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0



## Biased Motivated Criminal Offenses

UNIVERSITY OF HOUSTON-CLEAR LAKE TEXAS MEDICAL CENTER BIASED MOTIVATED CRIMINAL OFFENSES					
OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITIES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON- NEGLIGENT MANSLAUGHTER	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
RAPE	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
FONDLING	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
INCEST	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
STATUTORY RAPE	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
ROBBERY	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
AGGRAVATED ASSAULT	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
BURGLARY	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
MOTOR VEHICLE THEFT	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
ARSON	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
LARCENY THEFT	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
SIMPLE ASSAULT	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
INTIMIDATION	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
DESTRUCTION/DAMAGE /VANDALISM OF PROPERTY	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

## VAWA Offenses

UNIVERSITY OF HOUSTON-CLEAR LAKE TEXAS MEDICAL CENTER VAWA OFFENSES					
OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITIES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
DATING VIOLENCE	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
STALKING	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

## Arrests and Disciplinary Referrals

UNIVERSITY OF HOUSTON-CLEAR LAKE TEXAS MEDICAL CENTER ARRESTS AND DISCIPLINARY REFERRALS					
OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITIES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
ARRESTS: WEAPONS: CARRYING, POSSESSING, ETC.	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

2016, 2017, and 2018

- No unfounded crimes & no biased motivated crimes.

## 8.0 Off-Campus Crime Response

The University of Houston-Clear Lake recognizes that most of its students live off campus - many in apartment complexes within a few miles off campus. While the UHCL Police does not replace the law enforcement agency of jurisdiction for these complexes, in an effort to serve this large group of students, the UHCL Police provides preventative patrol. If students wish to request UHCL Police services at these complexes they may **contact UHCL Police Dispatch at 281-283-2222**. If units are available, the UHCL Police will respond; otherwise, the call will be referred to the agency of jurisdiction. The University of Houston-Clear Lake does not have any officially recognized student organizations with non-campus locations.



Crime statistics for off-campus complexes can be obtained by contacting the agency of jurisdiction in which the complex is located.

## 9.0 Alcohol & Illegal Drug Policy

The University of Houston - Clear Lake (the "University") prohibits the unlawful possession, use, sale, manufacture, or distribution of illicit drugs and alcohol in the workplace, on the campus, or at any University activities off-campus, including violations of state underage drinking laws. Penalties for violation of this policy are outlined in Section 4 of this policy, and may include criminal prosecution.

### The Dangers of Drug or Alcohol Abuse in the Workplace and on the Campus

There are many employed individuals whose job performance and productivity are adversely affected by their progressive dependence on drugs or alcohol. Much of this cost is in lost wages, health care expenses, and workers compensation. Additionally, the impact of drug use and high risk alcohol consumption for college students cannot be overlooked in terms of its cost to the individual students affected and the University. For specific information related to alcohol and other drug consumption and consequences, go to the National Institute on Drug Abuse: <http://www.drugabuse.gov/>.

#### 1. Definitions

The following terms are defined for the purposes of this policy and are important for purposes of expressing the University's policy on a drug-free workplace:

- a) **Contract** means a legal instrument reflecting a relationship between the federal government and a recipient whenever the principal purpose of the instrument is the acquisition by purchase, lease, or barter, of property or services for the direct benefit or use of the federal government; or whenever an executive agency determines in a

specific instance that the use of a type of procurement contract is appropriate.

- b) **Controlled Substance** means a controlled substance in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812), as further defined by regulations at 21 CFR 1300.11 through 1300.15, and as defined in the Texas Controlled Substances Act (Texas Health & Safety Code, 481.001 et seq).
- c) **Conviction** means finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.
- d) **Criminal drug statute** means a federal or non-federal criminal statute involving the manufacture, sale, distribution, dispensation, use, or possession of any controlled substance.
- e) **Employee** means an individual receiving a salary, wages other compensation and/or stipend support from the University.
- f) **Federal agency or agency** means any United States executive department, military department, government corporation, government controlled corporation, or any other establishment in the executive branch (including the Executive Office of the President), or any independent regulatory agency.
- g) **Grant** means an award of financial assistance, including a cooperative agreement, in the form of money, or property in lieu of money, by a federal agency directly to a grantee. The term grant includes block grant and entitlement grant programs, whether or not exempted from coverage under the grants management government wide regulation ("Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments"). The term does not include technical assistance which provides services instead of money, or other assistance in the form of loans, loan guarantees, interest subsidies, insurance, or direct appropriations; or any veterans' benefits to individuals; i.e., any benefit to veterans, their families, or survivors by virtue of the service of a veteran in the Armed Forces of the United States.
- h) **Grantee** means a legal entity which applies for or receives a grant or contract directly from a federal agency.
- i) **Illicit drug use** means the use, manufacture, sale, distribution, dispensation, or possession of illegal drugs and the abuse of other drugs and alcohol.
- j) **Student** means an individual registered or enrolled for credit or non-credit in a course or program offered by the University or any of its units.
- k) **University activities** mean an activity officially sponsored by the University.

- l) **Workplace** means the physical boundaries of the University and facilities owned or controlled by the University.

## 2. Philosophy

The unlawful use of drugs or alcohol is inconsistent with the behavior expected of members of the University community. The University is committed to the development and maintenance of a drug-free environment on the campus as well as an environment that prohibits the abuse of other drugs and alcohol and has a drug and alcohol abuse prevention system in operation, accessible to all members of the University community. The University is committed to the further expansion of that system and the dissemination of drug awareness information to the members of the University community. In addition, the University is committed to enforcing the provisions of the Drug Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989, believes that these acts and their implementation regulations provide a proper framework for the drug and alcohol abuse policies of the University.

## 3. Health Risks

Outlined below is a listing of drugs of abuse and their health risks taken from the U.S. Drug Enforcement Administration website. A more complete and detailed accounting may be found at their website at <http://www.dea.gov/druginfo/factsheets.shtml>. With any drug, prolonged use can lead to health issues as well as long-term dependency.

### *Alcohol*

Alcohol (beer, wine, or liquor) has a high potential for physical and psychological dependence as well as resulting in increased tolerance. Possible effects include impaired memory, slurred speech, drunken behavior, slow onset, vitamin deficiency, and organ damage. Overdose may result in vomiting, respiratory depression, loss of consciousness, and possible death. Withdrawal may include trembling, anxiety, insomnia, vitamin deficiency, confusion, hallucinations, and convulsions.

Females who drink alcohol during pregnancy may give birth to infants with Fetal Alcohol Syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other children of becoming alcoholics. Alcohol use is often related to acquaintance rape and failure to protect oneself from sexually transmitted infections (STIs). Additionally, alcohol-related accidents are the number one cause of death in the 16- to 24-year-old age group.

### *Narcotics*

Narcotics (including heroin, opioids, morphine, hydrocodone, oxycodone, codeine, and others) have a high potential for both physical and psychological dependence as well as resulting in increased tolerance. The possible effects of using narcotics include euphoria, drowsiness, respiratory depression, constricted pupils, and nausea. Overdose may result in shallow breathing,



clammy skin, convulsions, coma, and death. Withdrawal may include irritability, tremors, panic, nausea, chills, and sweating.

### *Other Depressants*

Other depressants (including GHB or liquid ecstasy, valium, Xanax, Ambien, and barbiturates, opioids) have a potential for both physical and psychological dependence as well as resulting in increased tolerance. The possible side effects include slurred speech, disorientation, appearance of intoxication, and impaired memory. Overdose may result in shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma and possible death. Withdrawal may include anxiety, insomnia, tremors, delirium, convulsions, and possible death.

### *Stimulants*

Stimulants (including cocaine, methamphetamine, and methylphenidate) have a possible risk of physical dependence and high risk for psychological dependence. Tolerance can develop in all stimulants. The possible side effects include increased alertness, excitement, euphoria, increased pulse rate and blood pressure, insomnia, and decreased appetite. Overdose may result in agitation, increased body temperature, hallucinations, convulsions, and possible death. Withdrawal may result in apathy, long periods of sleep, irritability, depression, and disorientation.

### *Hallucinogens*

Hallucinogens (including MDMA, LSD, phencyclidine, and others) are less likely to result in physical dependence, with the exception of phencyclidines and analogs, and vary in terms of psychological dependence, ranging from none to moderate (MDMA) to high (phencyclidine and analogs). Tolerance can develop. Possible effects include heightened senses, teeth grinding, and dehydration (MDMA and analogs) and hallucinations, altered perception of time and distance in other types of hallucinogens. Overdose may result in increased body temperature and cardiac arrest for MDMA and more intense episodes for LSD. Some hallucinogens may result in muscle aches and depression when in withdrawal (MDMA) or may result in drug seeking behavior.

### *Cannabis*

Cannabis includes marijuana, tetrahydrocannabinol (THC), and hashish or hashish oil. All may result in moderate psychological dependence with THC resulting in physical dependence.

Tolerance can develop in all forms. Possible effects include euphoria, relaxed inhibitions, increased appetite, and disorientation. Overdose may result in fatigue, paranoia, and possible psychosis. Withdrawal may occasionally result in insomnia, hyperactivity, and decreased appetite.

### *Anabolic Steroids*

Anabolic Steroids (including testosterone and others) may result in psychological dependence. Less is known as to their potential for physical dependence and increased tolerance levels.

Possible effects may include virilization, edema, testicular atrophy, gynecomastia, acne, and aggressive behavior. Effects of overdose are unknown. Withdrawal may possibly include depression.

#### *Inhalants*

Inhalants (including amyl and butyl nitrite, nitrous oxide, and others) vary in their level of psychological dependence, with less known about their potential for physical dependence and tolerance. Possible effects may include flushing, hypotension, and headache, impaired memory, slurred speech, drunken behavior, slow onset, vitamin deficiency, and organ damage. Overdose may result in methemoglobinemia, vomiting, respiratory depression, loss of consciousness, and possible death. Withdrawal may result in agitation, trembling, anxiety, insomnia, vitamin deficiency, confusion, hallucinations, and convulsions.

#### **4. Penalties for Violation of the Policy**

The University policy prohibiting the unlawful possession, use, or distribution of illicit drugs and /or alcohol on the campus and at University-sponsored events held off campus protects and supports the employees and students of the University of Houston – Clear Lake. Any employee admitting to or convicted of the unlawful possession, use, or distribution of illicit drugs and alcohol on the campus or at university sponsored events held off campus, will be subject to disciplinary action (up to and including termination), may be referred for prosecution, and may be required to satisfactorily participate in a drug and alcohol assistance or rehabilitation program, as agreed upon between the employee and the Department of Human Resources.

Further information concerning employee penalties is available from the Department of Human Resources, employees can contact HR at (281) 283-2160. Any student admitting to or proven to have violated the University of Houston – Clear Lake’s Student Code of Conduct regarding the unlawful possession, use or distribution of illicit drugs and alcohol on campus or at university sponsored events (see Student Disciplinary Policies and Procedures Section) will be subject to disciplinary action (up to and including expulsion), may be referred for prosecution, and may be requested to satisfactorily participate in a drug and alcohol assistance or rehabilitation program. Further information concerning student penalties is available from the Dean of Students Office at (281) 283-2616.

While this policy covers drug and alcohol policy at the University of Houston – Clear Lake, please be aware that there are penalties under Texas and federal law. For the most up to date information regarding penalties under Texas and Federal Law, see Texas Health and Safety Code, Section 482.112 and 21 U.S. Code § 844 and 21 U.S. Code § 802.

## 5. Student and Employee Resources

The University offers the following drug and alcohol abuse information, counseling, assistance and services:

### *Information and Referral*

All members of the University community are eligible to consult with professional staff of Counseling Services <https://www.uhcl.edu/counseling-services/> (regarding referrals for substance use treatment and recovery support groups.) University faculty and staff are also encouraged to consult with their Employee Assistance Program for additional referrals or treatment options. <https://www.uth.edu/uteap/> (713) 500-3327 or toll-free (800) 346-3549.

### *Individual Counseling*

Currently enrolled students can be seen for short-term counseling and crisis intervention for assistance with substance use problems. However, Counseling Services will make a referral for long-term substance use and detox. Faculty and staff are eligible for an initial consultation and referral for such services. <https://www.uhcl.edu/counseling-services/> (281) 283-2580

### *UHCL Health Services*

Campus community members can visit UHCL Health Services and speak with medical professionals about any drug and alcohol questions in a safe and friendly environment. Appointments can be made online (<https://www.uhcl.edu/student-affairs/health-wellness/health-services/services>) or via a walk-in. UHCL Health Services can be reached at (281) 283-2626.

### *Student Organizations*

Individuals can be assisted in forming groups like Alcoholics Anonymous and Al-anon. If you are interested in starting a new student organization and want to understand the registration process, please reach out to the Dean of Students Office at (281) 283-2616. <https://www.uhcl.edu/dean-of-students/>

### *The Council on Recovery*

This community resource offers short-term counseling for anyone affected in any way by alcohol or other drug abuse. Trained alcohol and drug abuse counselors can help select a 12-step oriented program and/or appropriate treatment. Their address is 303 Jackson Hill St, (713) 942-4100.

### *Employee Assistance Program*

Through the EAP, benefits eligible employees and their dependents can access free, convenient and confidential short-term counseling services and/or referrals for all types of concerns including: Alcohol/Drug Problems, Stress & Anxiety, Depression, Parenting & Family Concerns, Couples & Relationship Issues, Grief or Bereavement, Anger Management, Change & Life

Transitions, Work Conflicts, Communication Skills and more. Included in the program are a number of Work/Balance resources including telephonic and web-based resources, newsletters, trainings, self-assessments and online webinars. Topics addressed through these resources include Legal and Financial Assistance, Stress Management, Coping, Self-Improvement, Child and Elderly Care, and Identity Theft, among others. To learn more, please visit <https://www.uth.edu/uteap/>

## **6. Application of Policy**

The Drug and Alcohol Abuse Prevention Policy is supported by a drug-free awareness and alcohol education and prevention program available to the faculty, staff, and students of the University. Specific compliance and reporting items enumerated below (items b, c, d, e) are applicable to all persons employed on federal contracts and grants. In support of this policy, the University:

- a) has established a drug-free and alcohol abuse awareness program to inform its faculty, staff, and students about the dangers of drug and alcohol abuse in the workplace, the University's policy of maintaining a drug free workplace and a workplace which prohibits the illicit use of alcohol, available drug and alcohol counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug and alcohol abuse violations.
- b) will provide each student and employee a copy of this policy. In addition, all faculty, staff, and students will be notified of this policy through appropriate publications.
- c) will notify each university employee and each student that, as a condition of employment on a federal grant or contract, the person, once so employed, must abide by the terms of the policy, and must notify his/her supervisor and the Office of Human Resources of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.
- d) will notify the appropriate federal agency within ten (10) days after receiving notice of criminal drug statute conviction of any university employee engaged in performance of the grant or contract.
- e) will impose sanctions on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program, by any employee so convicted. Sanctions imposed on employees for violation of this policy may include suspension, suspension without pay and termination.
- f) will make a good faith effort to continue to maintain an environment that complies with the Drug-Free Workplace Act 1988 and the Drug-Free Schools and Communities Act Amendments of 1989.
- g) will conduct a biennial review of its programs to assess their effectiveness, what changes need to be made, and to ensure the uniform application of sanctions to employees and students.

## **7. Implementation**

Implementation of this policy is a joint responsibility of the Office of Human Resources, the Division of Academic Affairs, Campus Police Department, and the Division of Student Affairs. Notification of the program, including information about health risks and sanctions for violation of the policy, will be provided annually to students and employees. In addition, the University is committed to monitoring and assessing the effectiveness of this policy and its programs. A biennial review of this policy will be undertaken to determine its effectiveness and implement changes to the policy and its programs if they are necessary and to ensure that its disciplinary standards are consistently enforced.

## 9.1 Drug & Alcohol Abuse Education Programs

The UHCL offices of Counseling Services and Health Services offer drug and alcohol abuse educational resources, programs, consultation and referrals for employees and students. In addition, the assistance of outside resources may be used. The following programs are available for the benefit of students and staff, many of which are research-based, theory-driven programs on a recurring basis. A more comprehensive list can be found in the university's 2018 Biennial Review:

### 1. Educational Resources Programs

- Educational literature and materials on substance abuse, identification and treatment are available free of charge in the offices of Counseling Service and Health Services.
- On a biennial basis, programs focusing on drug and alcohol abuse education are offered to the University community. The offices of Counseling Services and Health Services and relevant agencies are used as resources in the implementation of these programs. These programs are open to students, faculty and staff at no charge.
- In-service seminars are available by request. These seminars are designed to help students, faculty, and staff understand ways to identify persons at risk and to explore methods of dealing with such problems.

## 10.0 Gun Policy

On June 13, 2015 Governor Greg Abbott signed into law **Senate Bill No. 11** (S.B. 11), also known as the "campus carry" law. **S.B. 11** amends **Section 411.2031 of the Texas Government Code** to allow carrying of handguns by license holders on college campuses beginning on August 1, 2016. The law authorized the University to adopt its campus carry policy after presenting it to, and receiving feedback from, the University community and the Board of Regents. The campus carry policy was presented to the Board during the UHS Board of Regent meeting in May of 2016.

The University's campus carry policy is located at

<https://www.uhcl.edu/policies/documents/administration/campus-carry-policy.pdf> and the list



of designated exclusion zones are located at <https://www.uhcl.edu/police/documents/pdf-documents/uhcl-campus-carry-exclusion-zones.pdf>.

## 11.0 Sex Offender Registration

Federal law, including section 121 of the Adam Walsh Child Protection and Safety Act of 2006 and the Campus Sex Crimes Prevention Act amendment to the Jacob Wetterling Act of 1994, pertains to the registration of and publication of information about sex offenders. Federal law requires registered sex offenders to indicate when they are enrolled or employed at institutions of higher learning. The law further requires the state law enforcement authority, the Texas Department of Public Safety, to provide the University of Houston-Clear Lake Police Department with a list of registered sex offenders who have indicated that they are either enrolled or employed at any of the University of Houston-Clear Lake campus locations.

### Information on Registered Sex Offenders at the University of Houston-Clear Lake

The UHCL Police Department maintains a registry of convicted sex offenders that work, volunteer or attend the University of Houston-Clear Lake. You may receive a complimentary copy of the University's registered sex offender list by sending a request to the Office of the Chief of Police in one of the following ways:

- Send an email request to [police@uhcl.edu](mailto:police@uhcl.edu)
- Contact the Chief of Police by phone at **281-283-2222**
- Send a written letter of request to:

University of Houston-Clear Lake Chief of Police  
Attn: Sex Offender Registry Request  
2700 Bay Area Blvd., Box 323  
Houston, Texas 77058



*Please allow 48 business hours for your request to be processed.*

Disclosure: Please keep in mind that registered sex offenders working on campus are easier to track than sex offenders that are students. Student backgrounds are not checked as a condition of admission. The listing of student registered sex offenders is dependent on their disclosure, or notification by other means such as parole or probation office.

### Information on Registered Sex Offenders in Texas

The Texas Department of Public Safety maintains a sex offender registry of convicted sex offenders' home addresses. Their database has also begun including sex offender registry of college campuses. To access their database free of charge, visit website: <https://records.txdps.state.tx.us/SexOffender/>.

## 12.0 Domestic Violence, Dating Violence, Sexual Assault and Stalking

The University of Houston System, through its [Sexual Misconduct Policy](#), prohibits domestic violence, dating violence, sexual assault, and stalking as those terms are defined for purposes of the Clery Act, and aims to eradicate sexual misconduct of every type through education, training, the establishment of policies, and serious consequences for policy violations.

Texas defines dating violence, domestic violence (as family violence), sexual assault, and stalking within its criminal statutes as shown below.

(a) **Dating violence**: an act, other than a defensive measure to protect oneself, by an actor that:

(1) is committed against a victim or applicant for a protective order:

(A) with whom the actor has or has had a dating relationship; or

(B) because of the victim's or applicant's marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and

(2) is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the victim or applicant in fear of imminent physical harm, bodily injury, assault, or sexual assault.

(b) For purposes of this title, "dating relationship" means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on consideration of:

(1) the length of the relationship;

(2) the nature of the relationship; and

(3) the frequency and type of interaction between the persons involved in the relationship.

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

*Reference: Texas Family Code Section 71.0021*

**Family violence (domestic violence)** means:

(1) an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself;

(2) abuse, as that term is defined by Sections [261.001](#)(1)(C), (E), (G), (H), (I), (J), and (K), by a member of a family or household toward a child of the family or household; or

- (3) dating violence, as that term is defined by Section [71.0021](#).

*Reference: Texas Family Code Section 71.004*

**Sexual Assault** is defined as when a person:

- (1) intentionally or knowingly:
  - (A) causes the penetration of the anus or sexual organ of another person by any means, without that person's consent;
  - (B) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or
  - (C) causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or
- (2) intentionally or knowingly:
  - (A) causes the penetration of the anus or sexual organ of a child by any means;
  - (B) causes the penetration of the mouth of a child by the sexual organ of the actor;
  - (C) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or
  - (D) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or
  - (E) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor.

*Reference: Texas Penal Code Section 22.011*

**Stalking** is defined as follows:

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

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

- (A) fear bodily injury or death for himself or herself;
- (B) fear bodily injury or death for a member of the person's family or household or for an individual with whom the person has a dating relationship;
- (C) fear that an offense will be committed against the person's property; or
- (D) feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended.

*Reference: Texas Penal Code Section 42.072*

Consent is not specifically defined under Texas law, except to provide the following statutory provision within *Section 22.011 of the Texas Penal Code*:

A sexual assault is without the consent of the other person if:

- (1) the actor compels the other person to submit or participate by the use of physical force or violence;
- (2) the actor compels the other person to submit or participate by threatening to use force or violence against the other person, and the other person believes that the actor has the present ability to execute the threat;
- (3) the other person has not consented and the actor knows the other person is unconscious or physically unable to resist;
- (4) the actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it;
- (5) the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring;
- (6) the actor has intentionally impaired the other person's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge;
- (7) the actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat;
- (8) the actor is a public servant who coerces the other person to submit or participate;
- (9) the actor is a mental health services provider or a health care services provider who causes the other person, who is a patient or former patient of the actor, to submit or participate by exploiting the other person's emotional dependency on the actor;
- (10) the actor is a clergyman who causes the other person to submit or participate by exploiting the other person's emotional dependency on the clergyman in the clergyman's professional character as spiritual adviser; or
- (11) the actor is an employee of a facility where the other person is a resident, unless the employee and resident are formally or informally married to each other under

*Chapter 2, Family Code.*

## **BYSTANDER INTERVENTION**

One of the most effective methods of preventing sexual assault is bystander intervention. Some people might be concerned that they are being encouraged to place themselves in jeopardy to stop crimes in progress. This is not the case. There are many situations that occur prior to Sexual Misconduct that are appropriate for intervention. Bystander intervention encourages people to watch for those behaviors and situations that appear to be inappropriate, coercive and harassing.

## **WAYS TO INTERVENE**

- Making up an excuse to get a person out of a potentially dangerous situation;
- Letting an individual know that his/her actions may lead to serious consequences;
- Not leaving a person's who may be in trouble despite the efforts of someone else to get him/her alone or away from you;
- Using a group of friends to remind someone behaving inappropriately that his/her behavior should be respectful;
- Taking steps to curb someone's use of alcohol before problems occur; and
- Calling the authorities when the situation warrants.

## **RISK REDUCTION STRATEGIES**

Acts of Sexual Misconduct not only devastate their victims, but also the campus communities where they occur. For these reasons, the University of Houston System shall engage in risk reduction strategies emphasizing the collective responsibility of the campus community to reduce the risk of Sexual Misconduct throughout the system. As a part of that effort, every new student and employee shall attend a prevention and education program about Sexual Misconduct. The program will incorporate risk reduction strategies and include bystander intervention training which enables community members to take a role in preventing and interrupting incidents of Sexual Misconduct. The program will also provide resources, including information regarding this sexual misconduct policy.

Common sense, situational awareness and trusting your instincts will reduce your risk of being subjected to sexual misconduct.

Risk reduction strategies include, but are not limited to, the following:

- A. If you consume alcohol, do so in moderation;
- B. Do not leave your beverage unattended or accept a drink from an open container;
- C. When you are with someone, communicate clearly to ensure he or she knows your limits from the beginning (both verbal and nonverbal (body language) communication can be used to ensure the message is understood);



- D. If you go on a date with someone you do not know very well, tell a close friend what your plans are;
- E. You have the right to say "No" even if you first say "Yes" and then change your mind, have had sex with this partner before, have been kissing or "making out" or are wearing what is perceived to be "provocative" clothing;
- F. Always have extra money to get home and have a plan for someone you can call if you need help;
- G. If you feel uncomfortable, scared or pressured, act quickly to end the situation by saying "Stop it" and leave or call for help;
- H. When you go to a party, go with a group of friends, arrive together, watch out for each other and leave together;
- I. Be aware of your surroundings at all times;
- J. Do not allow yourself to be isolated with a person you do not know or trust;
- K. Travel with a friend or in a group;
- L. Walk only in lighted areas after dark;
- M. Keep the doors to homes and cars locked; and
- N. Know where a phone is located.

## 12.1 Sexual Assault Survivor Assistance and Guidelines

UHCL will provide in writing to any (student, faculty, or staff) victim the following:

- a) Information about existing counseling, health, mental health, victim advocacy, legal assistance, student financial aid, and other services available for victims, both within the institution and in the community.
- b) Options for, available assistance in, and how to request changes in academic, living, transportation, and working situations or protective measures.
- c) Explanation of victim rights and options, regardless whether the offense occurred on or off campus.

Upon written request, the University will disclose to the victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the University against a student who was the perpetrator. Accuser has no limit on choice of advisor for any disciplinary proceedings.

The University will maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the accommodations or protective measures.

## Rape Crisis Centers

The following are hotlines for rape and sexual assault, as well as domestic violence:

<b>Bay Area Turning Point</b>	281-338-7600
<b>The Bridge Over Troubled Waters</b>	713-472-0753
<b>Women's Center of Brazoria County</b>	979-849-9553
<b>Resource and Crisis Center of Galveston County</b>	409-765-7233
<b>Houston Area Women's Center</b> (Rape Crisis Hotline)	713-528-7273
<b>Houston Area Women's Center</b> (Domestic Violence Hotline)	713-528-2121
<b>The Montrose Center</b>	713-529-0037
<b>AVDA – Aid to Victims of Domestic Abuse</b>	713-224-9911
<b>RAINN – Rape, Abuse, Incest National Network</b>	1-800-656-HOPE (4673)

## 12.2 Reporting Sexual Assault to the Police

If you are a sexual assault survivor on any University of Houston-Clear Lake property (owned or leased) please do the following immediately:

1. Call the University Police Department, **281-283-2222** or **911**.
  - If the sexual assault occurred off-campus at a UHCL event, still call UHCL Police. You may choose to allow UHCL to handle the investigation or if you request, we will notify the appropriate agency of jurisdiction.
2. Seek medical attention in an emergency room that performs court certified rape exams (Rape Kits).
  - Once officers arrive they will make sure you get to the appropriate hospital.

When you call the UHCL Police Department, the following information will be discussed with you:

1. Remember that **you did not deserve to be assaulted**. You have nothing to feel guilty or ashamed about.
2. A Police Officer will contact you at the scene of the attack, the hospital, or another location of your choosing. Let us know your preference.
3. To preserve evidence, you should not bathe or change clothes or do any cleaning up in any manner prior to receiving medical assistance. We know this is difficult, but it can mean the difference in a successful investigation and prosecution. Preserving evidence may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protective order.

4. You are the person in control when you contact the Police Department and you decide how you want the incident handled:
  - You may press charges against the suspect. It is not required that you press charges against the suspect, but the police hope that you will proceed with prosecution so that your assailant(s) may be arrested for what they have done to you. However, **IT IS YOUR CHOICE.**
  - You may ask that University disciplinary action be initiated against the suspect (Per the UH System Sexual Misconduct Policy).
  - You may ask the police to contact the suspect about the incident, and still choose not to have the suspect arrested.
  - You may tell the police not to contact the suspect about the incident, and choose not to have the suspect arrested.
  - You may also choose to proceed through the University Discipline Procedure in addition to, or in lieu of, pressing criminal charges against the suspect.

Any victim will be assisted by campus authorities in notifying law enforcement if they choose. Victims also have the option to decline to notify such authorities.

## 12.3 Prevention Programs

The University currently provides the following trainings and programs for prevention and awareness of dating violence, domestic violence, sexual assault, and stalking.

### Primary Prevention Education Programs

- All new students and transfer students to the University of Houston-Clear receive information regarding Title IX, the Sexual Misconduct Policy, and sexual assault as well as resources from the Office of Title IX / Equity and Diversity, Dean of Student's Office, Office of International Admissions and Programs, Health Services, and Counseling Services during New and Transfer Student Orientation.
- All new employees receive information regarding Title IX/Equity and Diversity during new employee orientation.
- "Salutations", a system-wide campaign promoting the collective responsibility to foster a campus environment where students, staff, faculty, and visitors are free from sexual discrimination of any kind.

### Ongoing Education Programs

- The Office of Title IX/Equity and Diversity sponsors educational programming in partnership with Bay Area Turning Point, Houston Area Women's Center, The Bridge Over Troubled Waters and the Resource and Crisis Center of Galveston County.

- The Office of Title IX/Equity and Diversity sponsors' educational programming during National Stalking Awareness Month and Diversity sponsors educational programming during Denim Day, a day of awareness where students, faculty, and staff wear denim to support victims of sexual violence and dispense societal justifications for abusive conduct.
- The Clothesline project was started in 1990 and addresses violence against women by providing an opportunity for individuals affected by violence to express their emotions through decorating a shirt. These shirts are then hung on a clothesline to be viewed by others as a testimony to the problem of violence against women.
- Monthly visual outreach and awareness displays to include Sexuality, Sexual Health, Relationships and Healthy Communication, Sexual Assault, Depression, and Suicide Awareness.

## 12.4 Sexual Misconduct Policy

The following is the University of Houston System Sexual Misconduct Policy verbatim approved by the System Chancellor on March 8, 2018 and published in the UHCL Student Life Policy Handbook:



UNIVERSITY OF HOUSTON SYSTEM  
**ADMINISTRATIVE MEMORANDUM**

**SECTION: General Administration**

**NUMBER: 01.D.08**

**AREA: Legal Affairs**

**SUBJECT: Sexual Misconduct Policy**

**1. PURPOSE**

- 1.1. This Policy provides the exclusive mechanism for managing the non-criminal reporting, processing, investigation, and resolution of complaints of sexual misconduct filed with the University of Houston System and its universities (“University”). For the purpose of this Policy, Sexual Misconduct is defined as:
  - Sexual Harassment
  - Non-Consensual Sexual Contact
  - Sexual Assault
  - Sexual Exploitation
  - Sexual Intimidation
  - Intimate Partner Violence (Domestic and Dating Violence)
  - Stalking
- 1.2. The University is committed to maintaining and strengthening an educational, working and living environment where students, faculty, staff, and visitors are free from sex discrimination of any kind. Sexual Misconduct (as defined in this policy), a form of sex discrimination, is antithetical to the standards and ideals of the University. The University will take appropriate action in an effort to eliminate Sexual Misconduct from occurring, prevent its recurrence, and address its effects.
- 1.3. The University aims to eradicate Sexual Misconduct through education, training, policies, and serious consequences for violations of its policies. The University will conduct educational programs, including ongoing prevention and awareness campaigns, designed to promote awareness and prevent Sexual Misconduct.
- 1.4. This Sexual Misconduct Policy (“Policy”) defines and describes prohibited sexual conduct and establishes a procedural mechanism for providing a prompt, fair, and impartial investigation and resolution of complaints of Sexual Misconduct.

(Please see the University's Anti-Discrimination Policy, [SAM 01.D.07](#), to find the procedural recourse for responding to unlawful discrimination and harassment incidents that do not constitute Sexual Misconduct.)

- 1.5. Consistent with its commitment to addressing sex discrimination and harassment, the University complies with Title IX of the Education Amendments of 1972 ("[Title IX](#)"), which prohibits discrimination on the basis of sex in education programs or activities, Title VII of the Civil Rights Act of 1964 ("[Title VII](#)"), which prohibits sex discrimination in employment, and Section 304 of the Violence Against Women Reauthorization Act of 2013 (also known as the Campus Sexual Violence Elimination Act ([SaVE Act](#))). Sexual Misconduct, as defined in this Policy, constitutes a form of sex discrimination prohibited by Title IX and Title VII. The University also prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking as those terms are defined for purposes of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Inquiries concerning the application of Title IX may be referred to the [University Title IX Coordinator](#) or to the U.S. Department of Education Office for Civil Rights.
- 1.6. All Members of the University Community are expected to adhere to this policy, to cooperate with the procedures for responding to complaints, and to report conduct or behavior that they believe to be in violation of this Policy (See Sections 8, 9, and 10 for reporting procedures). The University will take allegations of Sexual Misconduct seriously and will take prompt disciplinary action against any individuals within its control who violate this Policy. During its investigation into these matters, the University will work to ensure that all persons are given appropriate support and fair treatment.
- 1.7. This Policy applies to all University administrators, faculty, staff, students, and third parties within the University's control, including visitors and applicants for employment. This Policy applies regardless of the Complainant's or Respondent's sex, sexual orientation, gender identity, gender expression, immigration status, or citizenship status. Moreover, acts of Sexual Misconduct can occur between strangers or acquaintances.
- 1.8. Prohibited actions defined in this Policy may also constitute a violation of criminal law. Anyone who reports Sexual Misconduct will be notified of their right to speak to the appropriate law enforcement agency and file a report for possible criminal prosecution.

## 2. GENERAL DEFINITIONS

- 2.1. Complainant – A party or entity (in the case of the University) who makes a complaint of Sexual Misconduct under Section 15 of this Policy.
- 2.2. Intimate Partner Violence – A term used to describe a range of prohibited actions that occur between people who have or have had a romantic or sexual relationship. Intimate partner violence can be a single event or a pattern of behavior that includes sexual and/or physical abuse. The term encompasses



domestic violence and dating violence as further described in Section 6.7 of this Policy.

- 2.3. Respondent – A party who has been accused of committing an act of Sexual Misconduct by a Complainant under Section 15 of this Policy.
- 2.4. Responsible Employee – A University employee who has the duty to report incidents of sexual misconduct to the Title IX Coordinator or other appropriate designee, or an employee whom an individual could reasonably believe has this duty. Responsible employees include all administrators, athletic coaches, faculty, supervisory staff, residence life coordinators and graduate teaching assistants, and any employee who has significant responsibility for student and/or campus activities, except any employee with confidentiality obligations as defined in Section 10 of this Policy.
- 2.5. Sexual Activity – Penetration, however slight, of the:
- A. Vulva by a penis, object, tongue, or finger;
  - B. Anus by a penis, object, tongue, or finger;
  - C. Mouth by a penis, vulva, object, tongue, or finger in a sexual manner.
- Sexual Activity also includes:
- A. Any intentional contact with another's intimate body parts defined as the person's breasts, buttock(s), groin, or genitals;
  - B. Touching another with any of these body parts;
  - C. Making or causing another to touch a person or themselves with or on any of these body parts; and/or
  - D. Any intentional bodily contact in a sexual manner, even if it does not involve contact with/of/by breasts, buttock(s), groin, genitals, mouth, or other orifice.
- 2.6. Sexual Misconduct – A broad term encompassing a range of non-consensual sexual activity or unwelcome behavior of a sexual nature. The term includes sexual harassment, nonconsensual sexual contact, sexual assault, sexual exploitation, sexual intimidation, stalking, and intimate partner violence as further described in this Policy.
- 2.7. Student – A person who; (a) is currently enrolled at the University; (b) is accepted for admission or readmission to the University; (c) has been enrolled at the University in a prior semester or summer term and is eligible to continue enrollment in the semester or summer term that immediately follows; (d) is attending an educational program sponsored by the University while that person is on campus; or (e) has engaged in prohibited conduct at a time when he/she met the criteria of (a), (b), (c), or (d).

- 2.8. Title IX Coordinator – The person who has been designated on each component university's campus to coordinate efforts to comply with and implement this Policy. The Title IX Coordinator is responsible for conducting the administrative investigation of reports of Sexual Misconduct and is available to discuss options, provide support, explain University policies and procedures, and provide education on relevant issues. The Title IX Coordinator may designate one or more Assistant Title IX Coordinators. The Title IX Coordinators for each university are located here:

- University of Houston System/University of Houston  
Assistant VC/VP for Equal Opportunity Services  
(713) 743-8835
- University of Houston – Downtown  
Vice President for Employment Services and Operations 713-222-5366  
Student Conduct Officer/Title IX Coordinator or (713) 221-8056
- University of Houston – Clear Lake  
Title IX Coordinator  
(281) 283-2305
- University of Houston – Victoria  
Title IX Coordinator  
(361) 570-4835

In the event that there is a conflict of interest for a university's Title IX Coordinator, the UH System Title IX Coordinator will appoint another university's Title IX Coordinator to serve in their place. If there is a conflict for the System Title IX Coordinator, the Vice Chancellor for Legal Affairs will appoint another university's Title IX Coordinator to serve in their place.

- 2.9. University-Affiliated Activity – Any activity on or off campus that is initiated, aided, authorized or supervised by the University or by an officially-recognized organization of the University.
- 2.10. University Community – Members of the University Community include:
- University faculty, staff, administrators, employees, and contractors;
  - University students;
  - Volunteers and participants in any University program or activity; and
  - Guests and visitors to campus, to any property owned or leased by the University, or to any property owned or leased by any University-Affiliated organization or group.
- 2.11. University Premises – Buildings or grounds owned, leased, operated, controlled or supervised by the University.

### 3. JURISDICTION

- 3.1. The University has jurisdiction over, and will respond to, allegations of Sexual Misconduct occurring on the University's premises, at University-Affiliated Activities, and/or where both the accused person and alleged victim are either a student, faculty member, or staff member. Other than the University Police Department which may conduct a criminal investigation as appropriate, the University does not have jurisdiction over allegations between visitors or non-affiliated persons under this Policy.
  - 3.2. The University has the discretion to investigate conduct occurring off University premises or at a non-University-Affiliated Activity if either the Complainant or Respondent is University-Affiliated.
  - 3.3. The process outlined in this Policy is separate from any criminal proceeding related to the reported behavior and may occur while criminal proceedings are ongoing.
  - 3.4. Proceedings under this Policy will not be dismissed or delayed because criminal prosecution is pending, criminal charges have been dismissed, or the criminal charges have been reduced.
  - 3.5. Proceedings may also continue if a party is no longer employed with or a student of the University.
  - 3.6. The University does not limit the time frame for filing a complaint of Sexual Misconduct. Complaints can be submitted at any time following an incident, although the University's ability to take action may be limited by the passage of time.
4. CONSENT
- 4.1. For purposes of this Policy, consent is an informed and freely and affirmatively communicated willingness to participate in a particular sexual activity by a capacitated or legally competent person.
  - 4.2. Consent can be expressed either by words or by clear and unambiguous actions, as long as those words or actions create mutually understandable permission regarding the conditions of each instance of sexual activity.
  - 4.3. Although consent does not need to be verbal, verbal communication is the most reliable form of asking for and gauging the receipt of consent, and individuals are thus urged to seek consent in verbal form for each instance of sexual activity before they initiate the sexual activity.
  - 4.4. It is the responsibility of the person who wants to initiate a sexual activity to ensure that they have the consent of the other(s) to initiate each instance of sexual activity before they initiate the sexual activity.
  - 4.5. Consent is active, not passive, and cannot be inferred from the absence of a "no."
  - 4.6. Without words or actions demonstrating permission, silence, lack of protest, or lack of resistance cannot be assumed to show consent.

- 4.7. The existence of a dating relationship or a previous sexual relationship between the persons involved does not provide the basis for an assumption of consent to future sexual activity.
- 4.8. Consent must be present throughout the sexual activity, and consent to some form of sexual activity cannot be automatically taken as consent to any other sexual activity.
- 4.9. A participant can communicate that they no longer consent to continuing the sexual activity at any time.
- 4.10. If there is confusion as to whether an individual has consented or continues to consent to sexual activity, it is essential that the initiating person stops the sexual activity until the confusion is clearly resolved.
- 4.11. Alcohol or other drugs can lower inhibitions and create an atmosphere of confusion over whether consent is freely and effectively given. Consent is difficult to discern when a person has ingested alcohol and/or other drugs. Anyone wanting to initiate sexual activity is strongly encouraged to err on the side of caution when either they or the person(s) they want to initiate the activity with appear(s) to be intoxicated or there is reasonable cause to believe either party is intoxicated.
- 4.12. Being under the influence of drugs and/or alcohol is never a defense for not obtaining consent.
- 4.13. A person cannot consent if physical force or violence is used or threatened.

## 5. INCAPACITATION

- 5.1. A person is incapacitated (not legally competent) and cannot consent to sexual activity if:
  - A. The person is unconscious or otherwise unable to resist;
  - B. The person is unaware that sexual activity is occurring; and/or
  - C. The person does not have the legal capacity to consent.

(The definition of consent in the State of Texas Penal Code can be found at <http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.22.htm#22.011>.)
- 5.2. Further, a person may be unable to consent when they are mentally or physically incapacitated because of the influence of drugs, alcohol, or medication and as a result are rendered temporarily incapable of understanding, appraising, or controlling their conduct.
- 5.3. A person's incapacity to understand, appraise, or control their conduct may be analyzed based on surrounding factors including, but not limited to, hallucinations, blackouts, seizures, vomiting, slurred speech, disorientation, or lack of physical or mental coordination.

- 5.4. When a Respondent has been accused of engaging in sexual activity with an incapacitated person, the perspective of a reasonable person standard will be applied to determine whether the Respondent knew or should have known about the Complainant's ability to give consent.

6.1. Sexual Harassment

Sexual Harassment is a form of sex discrimination that includes verbal, written, or physical behavior of a sexual nature, directed at someone, or against a particular group, because of that person's or group's sex, or based on gender stereotypes, when that behavior is unwelcome, severe, or pervasive, and where it meets either of the following criteria:

- A. Submission or consent to the behavior is believed to carry consequences for the individual's education, employment, on-campus living environment, or participation in a University-Affiliated activity. Examples of this type of sexual harassment include, but are not limited to:
1. Pressuring another to engage in sexual behavior for some educational or employment benefit; or
  2. Making a real or perceived threat that rejecting sexual behavior will result in a negative tangible employment or academic consequence.
- B. The behavior has the purpose or effect of substantially interfering with another's work or educational performance by creating an intimidating or hostile environment for employment, education, on-campus living, or participation in a University-Affiliated activity. Examples of this type of sexual harassment can include, but are not limited to:
1. Persistent unwelcome efforts to develop a romantic or sexual relationship;
  2. Unwelcome commentary about an individual's body or sexual activities;
  3. Unwanted sexual attention;
  4. Repeatedly engaging in sexually-oriented conversations, comments, or horseplay, including the use of language or the telling of jokes or anecdotes of a sexual nature in the workplace, office, or classroom, even if such conduct is not objected to by those present; or
  5. Gratuitous use of sexually-oriented materials not directly related to the subject matter of a class, course, or meeting, even if not objected to by those present.

The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the harassment is

physical. A single or isolated instance of sexual harassment may create a hostile environment if the incident is sufficiently severe.

6.2. Nonconsensual Sexual Contact

Nonconsensual Sexual Contact is any intentional touching in a sexual manner, however slight or momentary, or the use of an object to touch another in a sexual manner.

Examples of Nonconsensual Sexual Contact under this Policy include, but are not limited to, the following non-consensual sexual activity:

- A. Unwanted touching of a sexual nature; and
- B. Use of force or intimidation to make someone else engage in nonconsensual sexual touching.

6.3. Sexual Assault

For purposes of this Policy, Sexual Assault is sexual intercourse that occurs without consent.

Examples of Sexual Assault under this Policy include, but are not limited to, the following non-consensual sexual acts:

- A. Penetration, however slight, of an orifice (anal, vaginal, oral) with the vulva, anus, or mouth, by a penis, finger, or other object; and
- B. Other acts of oral sex or anal stimulation, and
- C. Knowingly exposing a person to and/or transmitting a sexually-transmitted infection or HIV/AIDS to another person.

The definition of Sexual Assault as used in this Policy may constitute sexual assault in Texas. Relevant state law can be found at <http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.22.htm#22.011>.

6.4. Sexual Exploitation

Sexual Exploitation occurs when a party takes nonconsensual or abusive sexual advantage of another for their own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other Sexual Misconduct offenses. Examples can include, but are not limited to, the following behaviors:

- A. Prostituting another;
- B. Non-consensual recording, photographing, or transmitting intimate or sexual utterances, sounds, or images electronically or by other means without the knowledge and consent of all parties involved;
- C. Voyeurism or watching or recording someone when that person is in a place where they would have a reasonable expectation of privacy;



- D. Going beyond the boundaries of consent (such as engaging in actions that were not consented to during an otherwise consensual encounter);
- E. Distributing intimate or sexual images about another person without that person's consent, even if the images were obtained consensually;

6.5. Sexual Intimidation

Sexual Intimidation involves threatening another with behavior of a sexual nature. Examples of this include, but are not limited to, engaging in indecent exposure (aka "flashing"), or transmitting or displaying a nude image where the action was unsolicited and a reasonable person would feel threatened or intimidated.

6.6. Stalking

- A. Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
  - 1. Fear for their safety and/or the safety of others; or
  - 2. Suffer substantial emotional distress.
- B. For the purposes of this Policy, Stalking is considered a severe or pervasive form of harassment. This Policy will apply to acts of Stalking that:
  - 1. Occur between people who currently have or have had a romantic or sexual relationship; or
  - 2. Occur because of the accused person's desire to have a romantic or sexual relationship with the alleged victim.
- C. For the purposes of defining Stalking under this Policy:
  - 1. A "course of conduct" is a pattern of behavior composed of two or more acts, whether directly by a Respondent or through third parties, over a period of time, however short, that evidence a continuity of purpose.
  - 2. "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
  - 3. A "reasonable person" means a reasonable person in the Complainant's circumstances.
- D. The University may consider multiple actions outlined in this definition as one act of stalking. Stalking. A report of Stalking will be considered a new and distinct report if the behavior continues after an official intervention, including, not limited to:
  - 1. University disciplinary action

2. The issuance of a no-contact order, or any warning/action by the University or a court.

The Policy's definition of Stalking also extends to cyberstalking.

- E. The definition of Stalking as used in this Policy may constitute stalking in Texas. Relevant state law can be found at <http://www.statutes.legis.state.tx.us/SOTWDocs/PE/htm/PE.42.htm>.

#### 6.7. Intimate Partner Violence

- A. For purposes of this Policy, Intimate Partner Violence includes Domestic (Family) Violence and Dating Violence.

- B. Actions that may violate this policy include, but are not limited to:

1. Acts of physical violence
2. Threats of physical violence
3. Abduction, restraint, or false imprisonment
4. Actions that may constitute a felony or misdemeanor crime of violence according to the laws of jurisdiction where the incident occurred.

- C. Domestic Violence

Domestic Violence includes felony or misdemeanor crimes of violence committed by:

1. A current or former spouse or intimate partner of an alleged victim
2. A person with whom an alleged victim shares a child in common
3. A person who is cohabitating with or has cohabitated with an alleged victim as a spouse or intimate partner
4. A person similarly situated to a spouse of an alleged victim under the domestic or family violence laws of the State of Texas  
<http://www.statutes.legis.state.tx.us/SOTWDocs/CR/htm/CR.5.htm>

- D. Dating Violence

Dating violence includes acts between people who are currently or were formerly in a social relationship of a romantic or intimate nature.

For the purposes of this Policy, the existence of such a relationship shall be determined by the alleged victim; however, EOS will also consider of the following:

1. The length of the relationship; and
2. The type of relationship; and

3. The frequency and nature of interaction between the persons involved in the relationship.

6.8. Additional Actions that Constitute a Violation of this Policy

- A. An attempt and/or threat to engage in conduct that would otherwise constitute a violation of this Policy;
- B. Knowingly aiding another in violating this Policy;
- C. Knowingly covering up actions by oneself or others that would constitute a violation of this Policy, including removing, hiding, altering, or destroying evidence;
- D. Knowingly engaging in actions that impede or obstruct a University investigation related to this Policy; and
- E. Attempting to coerce, compel, or prevent an individual from providing testimony or relevant information.

7. REPORTING RIGHTS

- 7.1. The University encourages reporting violations of this policy to any of the following University entities:

- EOS/Title IX Office
- University of Houston Police Department
- Dean of Student's Office
- Student Housing and Residence Life
- Human Resources

Additionally, anonymous reporting may be conducted through the Fraud and Non-Compliance Hotline, as described in Section 9 of this policy.

- 7.2. Alleged victims of a violation of this Policy have the right to decide if and when they report the incident(s) to the University, law enforcement, or to any other member of the University community. The University strongly encourages individuals to access services, such as counseling and medical help, that can respond to the immediate mental and physical impact of an act of Sexual Misconduct. Individuals can access these services regardless of whether they report what happened.
- 7.3. The University strongly encourages reporting as soon as possible. Prompt reporting may preserve options that delayed reporting does not, including immediate police response and the preservation of physical evidence that may be necessary to prove an alleged criminal offense or to obtain a protective order.

- 7.4. Once an individual alerts the University of an alleged violation of this Policy they will be provided with written information including this Policy, their rights, reporting options, and support resources.
- 7.5. Alleged victims of a violation of this policy have multiple options regarding involvement of law enforcement and campus authorities, including:
  - The option to notify proper law enforcement authorities including on-campus and local police; and
  - The option to be assisted by campus authorities in notifying law enforcement authorities; and
  - The option to decline to notify such authorities.
- 7.6. Whether an alleged violation of this Policy occurs on or off-campus, an alleged victim will be provided written notification of their rights and options.
- 7.7. Anyone can receive information about this Policy, their rights under the Policy, reporting options, and support resources without disclosing facts related to the alleged incident.

The following members of the University community can provide this information but may be required reporters (see Section 8):

- Title IX Coordinator and any Assistant Coordinators
- Campus law police and/or security
- Campus-based counseling staff
- Campus-based student health center staff
- Human Resources staff
- Dean of Students Office staff
- Student Housing and Residence Life professional staff

Each component may have their own programs and services related to the issues covered by this Policy so there may be additional resources for information on your campus.

## 8. REQUIRED REPORTING

- 8.1. All employees, students, and third parties are strongly encouraged to immediately report any incidents alleged Sexual Misconduct to the Title IX Coordinator and/or an Assistant Coordinator.
- 8.2. All Responsible Employees who receive a report of Sexual Misconduct must share that information with the Title IX Coordinator and/or an Assistant Coordinator and cannot maintain confidentiality, with the exception of:

- A. The staff of a counseling or health center acting in their capacity as a counseling or health provider, and
  - B. Individuals who are associated with the University in the role of a pastoral counselor or confidential advisor acting in that capacity.
- 8.3. In addition, some individuals who are not Responsible Employees who must share reports of Sexual Misconduct with the Title IX Coordinator and/or an Assistant Coordinator, include, but are not limited to:
- A. Academic Advisors
  - B. Residence Advisors
  - C. Elected Members of Student Government Associations, and
  - D. Individuals, including students, serving as responsible persons, even if they are volunteers, at a University-Affiliated activity. These individuals could be teaching, graduate assistants, research assistants, chaperones, peer mentors, or retreat counselors.

These individuals are required to report because they are either in a position to do something about the alleged actions, may be perceived to be able to do something about the alleged action, or would otherwise have to report known or suspected incidents of Sexual Misconduct.

- 8.4. Anyone who is required to report known or suspected violations of this Policy must promptly contact the Title IX Coordinator and/or an Assistant Coordinator and disclose what they know about the alleged incident. Even if a required reporter is a Campus Security Authority, and must provide a report to law enforcement or other campus departments, the reporter must also directly notify the Title IX Coordinator and/or Assistant Coordinator as soon as possible.
- 8.5. Reports should include all relevant details including the following:
- A. The name of the accused person (if known)
  - B. The name of the alleged victim
  - C. The names of other people who may be involved, and
  - D. Relevant facts, including date, time, and location of the incident(s)
- 8.6. The University will comply with all applicable state laws regarding mandatory reporting for known or suspected abuse, neglect, or exploitation of a child or a vulnerable adult.
- 8.7. Individuals who are required to report under this Policy but fail to do so may face disciplinary action by the appropriate administrator.
- 8.8. Individuals who are not required to report and who are not bound by state confidentiality laws are still encouraged to report known or suspected violations

of this Policy and may do so through the confidential and non-confidential methods listed in Sections 9 and 10 of this Policy.

- 8.9. Public awareness events such as “Take Back the Night,” candlelight vigils, protests, “survivor speak outs” or other forums in which members of the community disclose incidents of violations of this Policy are not considered notice to the University for the purpose of triggering its obligation to investigate. However, information regarding rights under this Policy will be available to anyone who discloses Sexual Misconduct at one of these types of events.
- 8.10. Reporting to Outside Entities: An individual wishing to make a complaint may also contact the U.S. Department of Education, Office for Civil Rights (OCR) to complain of sex discrimination or sexual misconduct:

Office for Civil Rights  
U.S. Department of Education  
1999 Bryan Street, Suite 1620  
Dallas, Texas 75201  
Phone: (214) 661-9600  
Fax: (214) 661-9587

Employees may also contact the U.S. Equal Employment Opportunity Commission to complain of sex discrimination or sexual harassment:

U.S. Equal Employment Opportunity Commission  
Houston District Office  
1919 Smith Street, 6th Floor  
Houston, Texas 77002  
Phone: (800) 669-6820  
Fax: (713) 651-4987

## 9. ANONYMOUS REPORTING

- 9.1. Alleged victims and others not required to report may submit a report through a web-based reporting system called the Fraud and Non-Compliance Hotline, which allows the option of anonymity.
- 9.2. The web address for the Fraud and Non-Compliance Hotline is <https://app.convercent.com/en-us/LandingPage/b3d1c670-e06c-e711-80cf-000d3ab0d899>.
- 9.3. Reports received through this site will be reviewed and may be investigated.
- 9.4. The University will work with anyone who is identified via a Fraud and Non-Compliance Hotline report or subsequent investigation to provide anonymity to the full extent possible under this policy.
- 9.5. Upon receipt of an anonymous report that implicates the Sexual Misconduct policy, the Title IX Coordinator will invite the reporter to formalize the report into a formal complaint. While interim measures and actions are available to anonymous reporters without filing a formal complaint, Equal Opportunity



Services (“EOS”) Finding(s) as described in Section 15.5 requires a formal complaint.

- 9.6. If the anonymous reporter decides to pursue a formal complaint, the complaint process will follow Section 15, “Formal Complaint Procedures.”
- 9.7. If the anonymous reporter declines to pursue a formal complaint, the Title IX Coordinator may pursue a complaint on behalf of the University after considering the factors described in Section 15.1.B.2 of this Policy.

## 10. CONFIDENTIALITY

- 10.1. The University will protect the anonymity of all individuals involved in a report or a complaint by refusing to disclose their identifying information to anyone outside the University to the maximum extent permitted by law.
- 10.2. University staff working in campus counseling or health centers, individuals operating in the role of a pastoral counselor or a confidential advisor, and other University employees whose job is to provide medical and mental health care are exempt from required reporting.
- 10.3. Community-based programs not affiliated with the University may also be confidential resources and would follow their own policies and procedures regarding reporting duties.
- 10.4. Individuals may request that their report be investigated by the University without providing their name to the Respondent or witnesses. However, this may reduce the University’s ability to thoroughly investigate a report. When the University cannot fully investigate a report or take appropriate disciplinary action because of a request for an investigation with an anonymous Complainant, the University will pursue other steps to limit the effects of the alleged violation, attempt to prevent its recurrence, and respond to the impact on the involved parties and the community.
- 10.5. If an individual discloses an incident to a responsible employee but wishes to maintain confidentiality and/or requests that no investigation into a particular incident be conducted or disciplinary action taken, the University will balance a request for confidentiality with its responsibility to provide a safe and non-discriminatory environment for the University community.
- 10.6. Requests for confidentiality will be evaluated on a case-by-case basis by the Title IX Coordinator in cooperation with appropriate administrators and will consider a range of factors, including but not limited to the following:
  - A. Whether there is an increased risk that the accused person may commit additional violations of this Policy;
  - B. Whether a weapon was used;
  - C. Whether the alleged victim is a minor;

- D. Whether there are other means to obtain relevant evidence (e.g., security cameras or personnel, physical evidence); and
- E. Whether the report reveals a pattern of alleged actions.

The presence of one or more of these factors could lead the University to investigate, and, if appropriate, pursue disciplinary action against Respondents under its control.

- 10.7. Information will be shared within the University only to those individuals with a legitimate need to know.
- 10.8. The University will protect the confidentiality of alleged victims and other necessary parties while ensuring *Clery Act* statistical reporting requirements, specifically, such statistical reporting will be done without inclusion of personally identifying information about an alleged victim.
- 10.9. The University will maintain as confidential any accommodations or protective measures provided to the alleged victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

## 11. RETALIATION

- 11.1. The University takes reports of Sexual Misconduct very seriously and will not tolerate retaliation against those who make such reports or participate in the investigation or adjudication process.
- 11.2. Retaliation includes, but is not limited to, any adverse employment or educational action taken for making a report of Sexual Misconduct or otherwise participating under this Policy.
- 11.3. Any actual or threatened retaliation, or any act of intimidation to prevent or otherwise obstruct the reporting of a violation of this Policy or the participation in proceedings relating to a report of Sexual Misconduct, may be considered a separate violation of this Policy and may result in disciplinary sanctions.
- 11.4. Any person who believes that they have been subjected to retaliation should immediately report this concern to their Title IX Coordinator or an Assistant Coordinator.

## 12. IMMEDIATE ASSISTANCE

- 12.1. Medical Assistance: An individual who experiences any form of sexual, domestic, or dating violence is encouraged to seek immediate medical care. Also, preserving DNA evidence can be key to identifying the perpetrator in a sexual violence case. Victims can undergo a medical exam to preserve physical evidence with or without police involvement. If possible, this should be done immediately. If an immediate medical exam is not possible, individuals who have experienced a sexual assault may have a Sexual Assault Forensic Exam (SAFE) performed by a Sexual Assault Nurse Examiner (SANE) within four (4) days of the incident. With the examinee's consent, the physical evidence collected during

this medical exam can be used in a criminal investigation; however, a person may undergo a SAFE even without contacting, or intending to contact, the police. To undergo a SAFE, please go to the nearest hospital that provides SAFE services.

For more information about the SAFE, see <http://www.uhssalutations.com/reporting/>. The cost of the forensic portion of the exam is covered by the law enforcement agency that is investigating the assault or, in cases in which a report will not be made to the police, the Texas Department of Public Safety. This does not include fees related to medical treatment that are not a part of the SAFE.

An individual who experiences any form of sexual, domestic, or dating violence is encouraged to seek immediate medical care because he or she may be prescribed medications to prevent sexually transmitted infections and/or pregnancy even if the police are not contacted or if a SAFE is not performed.

- 12.2. Police Assistance: Because the prohibited actions outlined in this policy may also constitute a criminal acts, individuals seeking emergency assistance or who want to file a criminal report may contact their University police department or the appropriate municipal law enforcement agency. In addition to any possible criminal action, the University Police will forward the report to the Title IX Coordinator.

Reporting to the police helps maintain future options regarding criminal prosecution. Generally, when the victim reports the incident, a police officer will take a statement from the victim regarding what happened.

An adult victim can request that their identity be kept confidential.

When a police report is filed, the victim is not obligated to participate in criminal proceedings or University disciplinary action.

Anyone wishing to file a report with University police can make a report to their component institution's Police Department as noted below:

- University of Houston Campus Police Department  
<http://www.uh.edu/police> 713-743-3333
- University of Houston - Clear Lake Police Department  
<http://www.uhcl.edu/police> 281-283-2222
- University of Houston - Downtown Police Department  
<http://www.uhd.edu/police-department/Pages/default.aspx> 713-221-8911
- University of Houston – Victoria  
<http://www.uhv.edu/police/> 361-570-4245
- University of Houston – Katy Campus

Security station is located on the third floor of the UHV – Katy, 2002 W. Grand Parkway N., Building 2, Katy, Texas. Security can be reached at the duty desk at 281-396-3777.

- UH at Sugar Land  
<http://www.uh.edu/sugarland/>

Security officers are assigned to UH at Sugar Land. Should anyone need assistance concerning an escort, safety or security matter, contact the police officer or security officer on duty by calling 832-842-2929.

If the security officer is not available during an emergency situation, dial 911.

- 12.3. Counseling Assistance: A person who has experienced sexual violence is strongly encouraged to seek medical and psychological care even if he or she does not plan to request a Sexual Assault Forensic Exam (SAFE) or report the assault to the police.
- 12.4. Alleged victims of violations of this Policy will be provided written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services available both within the University and in the community.
- 12.5. Interim Measures and Ongoing Assistance: When an incident of Sexual Misconduct is reported, the University will consider interim measures to protect involved persons and/or the community while the incident is investigated and adjudicated through this Policy.
  - A. An alleged victim does not need to file a formal complaint to receive interim measures. Some interim measures may be implemented without an alleged victim disclosing identifying information related to the incident(s). Interim measures include, but are not limited to, changes to academic, living, transportation, working situations, or protective measures. The University will make such accommodations or provide such protective measures if requested and if they are reasonably available, regardless of whether the victim chooses to report the alleged violations of this Policy to University Police or local law enforcement. The University will assess whether an interim measure will involve making these changes to the alleged victim or accused person's circumstances on a case-by-case basis.
  - B. When the University offers counseling through University-Affiliated student counseling and employee assistance programs as an interim action, an alleged victim will not have to pay related fees for that counseling while the processes outlined in this Policy are on-going.
  - C. If an interim measure is refused by a party it may still be available at a later date.
  - D. No-contact orders can be issued under this Policy between the parties involved in a report or others related to a report as an interim measure. No-contact orders issued under this Policy can remain in effect indefinitely and are not contingent upon a formal complaint.

- E. Violations of interim measures may be considered a separate violation under this Policy or may be investigated and adjudicated through other relevant University policies.
- F. The University will honor any order of protection, no-contact order, restraining order, or similar lawful order issued by any criminal, civil or tribal court.

#### 12.6. Resolution Agreement

If a report or complaint alleges a violation of this policy other than Sexual Assault, the Title IX Coordinator will determine if the issue is eligible for informal resolution using a Resolution Agreement. If so, the Complainant and Respondent may agree to resolve the report or complaint by agreement rather than after a finding by EOS under this policy. Under a Resolution Agreement, the parties agree that without a finding by EOS, the Respondent will participate in training or other conditions as set forth in the Resolution Agreement. The Resolution Agreement is not an admission of guilt or responsibility by the Respondent, and neither party has the right to appeal.

### 13. REPORT PRELIMINARY RESPONSE PROCEDURES

- 13.1. A report of a violation of this Policy does not automatically begin the formal complaint procedures, listed in Section 15 of this Policy.
- 13.2. The University will determine the appropriate preliminary response to each report based on the information available at the time of the report and, whenever possible, with the input of the alleged victim.
- 13.3. When the University receives a report regarding an alleged violation of this Policy, it will take reasonable measures to do the following:
  - A. Contact the alleged victim to notify them of their rights and options under this Policy;
  - B. Implement any appropriate interim measures; and
  - C. Complete a preliminary investigation, as appropriate.

### 14. PERSONAL ADVISORS

Any named party will have the same opportunity to have a personal advisor of their choice present during any meeting or proceeding related to the investigation of Sexual Misconduct. This advisor may be an attorney, provided at their own expense, with no cost to the University.

- 14.1. The student will need to sign a [FERPA Release form](#) for the advisor to be present at any meeting or proceeding. The form allows staff to speak freely about the student's case when the advisor is present. The student may revoke the release form in writing if they choose to no longer have the individual serve as their advisor or have access to the matter.

- 14.2. Advisors may attend any meeting or proceeding related to the investigation, but may not speak on the part of the individual he or she is advising or be a witness. An advisor may ask to briefly suspend any meetings, interviews, or hearings to provide private consultation related to the meeting or proceeding in process.
- 14.3. An advisor will not be permitted to speak on behalf of the advisee, make an oral presentation, including an opening or closing argument, be a witness, or question witnesses, the EOS representative, or the Panel during the hearing. An advisor may respond to a direct question from the investigator during a meeting or the Panel/Non-affiliated Hearing Officer during a hearing.
- 14.4. An advisor is subject to the same confidentiality expectations applicable to others in attendance. Accommodations, including scheduling of interviews or hearings, will not be made for any advisors if they unduly delay the process.

15. **FORMAL COMPLAINT PROCEDURES**

EOS, located at the University of Houston System/University of Houston, works in conjunction with each university's Title IX Coordinator to administer all aspects of this Policy. Investigations can be completed by the university's Title IX Coordinator, their appointee, or by EOS.

A formal complaint may be filed by the alleged victim or by the University.

The timeframes set forth in this Policy may be extended when there is good cause to do so. The Complainant (or the non-participating alleged victim in cases where the University files the complaint) and the Respondent(s) will be notified in writing of the delay and the reason for the delay. Any proceedings under this Policy will be conducted in a prompt, fair and impartial manner from initial investigation to final result.

15.1. **Step One: Filing a Complaint**

- A. If the alleged victim wishes to pursue a formal complaint, they will be asked to complete a Formal Complaint Questionnaire with their Title IX Coordinator, who will forward the complaint to EOS.
- B. If the alleged victim does not wish to pursue a formal complaint:
  1. The University may determine that it will serve as the Complainant if the alleged victim declines to file a formal complaint.
  2. The decision to file a complaint with the University as Complainant is not taken lightly and will be determined based on various factors including, but not limited to, the type of actions alleged in the report, prior reports received, potential for repeated behavior, and/or potential on-going risk to the alleged victim and/or the University Community.
- C. The University does not limit the timeframe for filing a complaint of Sexual Misconduct. Complaints can be submitted at any time following an incident, although the University's ability to take any action may be limited because of the passage of time.



- D. Within five (5) business days after receiving a formal complaint, EOS will provide a copy of the complaint to the Respondent(s), as well as a copy of this policy and other available resources.
- E. Once a complaint is filed, if the Complainant decides that they want to withdraw the complaint, the University's investigation may still proceed.
- F. EOS may decline to pursue a complaint for failure to state a valid claim under this Policy. Before making this decision, EOS will discuss the complaint with the Complainant, and will suggest other options for assistance where applicable.

**15.2. Step Two: Consideration of Interim Measures**

- A. Although interim measures may have already been considered and implemented, EOS will again consider interim measures when a Formal Complaint has been filed to protect involved parties while the incident is investigated and adjudicated under this Policy.
- B. EOS and other appropriate University administrators will work together to identify alternative arrangements that will preserve the rights of both the Complainant and the Respondent(s), as well as provide a safe overall educational or working environment until (and perhaps after) the complaint is investigated and adjudicated.
- C. Failure to adhere to the parameters of any interim measure may be considered a separate violation of this Policy and may result in disciplinary action.

**15.3. Step Three: Response to a Complaint**

- A. A Respondent's response to the complaint is due to EOS within five (5) business days from the Respondent's receipt of the Complaint. EOS may grant an extension for good cause.
- B. The response should address and respond to the specific allegations made in the Complaint and can include any other rebuttal information.
- C. A response may be provided in writing or through an in-person interview with the investigator(s).
- D. While a Respondent is not required to provide a response to the complaint or answer questions related to the investigation, this will not stop the Formal Complaint Process. Failure to acknowledge the receipt of the Complaint may be considered a violation of relevant University policies and could result in additional action.

**15.4. Step Four: EOS Investigation**

- A. Absent extenuating circumstances, an investigation will begin upon receipt of a complaint of alleged Sexual Misconduct.

- B. An investigation may begin prior to receiving a response from a Respondent.
- C. The investigator(s) will attempt to interview the Complainant, the Respondent(s), and any witnesses, as appropriate.
- D. The investigator(s) will also gather and review any information they deem pertinent, as well as any information submitted by the Complainant, the Respondent(s), and/or any witnesses.
- E. If during the course of an investigation additional actions that may constitute a violation of Policy are identified, the University will determine on a case-by-case basis whether and how to investigate those allegations. Facts used to make this determination include, but are not limited to, the type of action identified and whether the actions occurred during the same incident or during a separate incident.

**15.5. Step Five: EOS Finding**

- A. A finding by EOS will be issued as soon as practicable. The Complainant and Respondent(s) will have the opportunity, but are not required, to respond, to the EOS investigation report in writing in advance of the EOS finding. The Complainant and Respondent(s) should be provided updates on the progress of the investigation and issuance of the report.
- B. The finding(s) will be determined using a preponderance of the evidence standard; that is, whether it is more likely than not that a Respondent violated this Policy.
- C. If it is determined that this Policy was violated, appropriate university action will be recommended in an effort to eliminate Sexual Misconduct, prevent its recurrence, and address its effects.
- D. Even if it is determined that this Policy was not violated, a recommendation may be made that a Respondent undertake educational initiatives and/or trainings.
- E. The Complainant and the Respondent(s) will be simultaneously notified in writing of the outcome of its finding(s) and any appeal rights under this Policy.
- F. At any time after a finding has been made that a Respondent has violated the Policy, the University may implement an interim sanction against the Respondent while the complaint is being further adjudicated.
- G. Once findings have been made, either any party to the complaint may request to meet with the investigator(s) to discuss the investigation and, finding(s), and/or to inspect the investigative file.

**15.6. Step Six: New Information**

- A. If a party has new information they believe would have significantly impacted the finding(s) (e.g., witness testimony, documents or other tangible evidence), they may submit that information to the Title IX Coordinator.
- B. If the Title IX Coordinator determines that the submitted information should be reviewed, and the information was not available for the party to present during the investigation, the case may be re-opened.
- C. The Title IX Coordinator will inform the party(ies) of any new information. These parties will have the opportunity to respond to this information, and the Title IX Coordinator will consider the response(s) in deciding whether to reopen the investigation.
- D. If the Title IX Coordinator decides to reopen the investigation, the process will resume at Step Four (Section 15.4) above.

**15.7. Step Seven: Grounds for Appeal Following an EOS Finding**

**A. Filing an Appeal**

- 1. An appeal of EOS' finding(s) must be submitted in writing to the Title IX Coordinator within five (5) business days of receiving the finding(s).
- 2. The Complainant and the Respondent(s) both have the right to appeal a finding for any error or procedural defect occurring during the investigation that could have significantly impacted the finding.
- 3. An appeal is not a new investigation of the complaint.
- 4. A non-appealing party does not have to participate.
- 5. If an appeal is filed in accordance with this Section, the appeal will automatically be presented to the University's Equal Opportunity Services Hearing Board ("Board") by the Title IX Coordinator.
- 6. The appellant may withdraw an appeal by submitting a request in writing to the Title IX Coordinator prior to the scheduled start of the hearing. A withdrawn appeal will conclude the matter.

**B. Composition of the Board**

- 1. Members of the Board are selected from recommendations from the university's Faculty Senate, Staff Council, and Student Affairs departments/offices, who shall each recommend at least five (5) individuals to the university's President. The President shall then select a Board of eight (8) with representation from each group recommended. Except for the first Board, members shall serve staggered terms of three (3) years.

2. If a conflict of interest arises for any of the Board members, the Title IX Coordinator will make a recommendation to the Board Chair to reduce or eliminate the conflict of interest.
3. Upon the Board's receipt of the appeal, a poll will be taken of the Board members by the Title IX Coordinator to identify four (4) members to hear the appeal and compose the Hearing Panel (three (3) members of the Hearing Panel will serve as voting members and one (1) will serve as an alternate, non-voting member).

**C. Responsibilities of the Hearing Panel/Non-Affiliated Hearing Officer**

1. If the appeal concerns Sexual Assault, the appealing party may waive their right to a hearing before the Hearing Panel and have their appeal heard by an individual hearing officer not affiliated with the University ("Non-affiliated Hearing Officer"). To waive their right to a Hearing Panel, the appealing party must submit written notice to the Title IX Coordinator within five (5) business days of receiving EOS' finding(s).
2. The Hearing Panel/Non-affiliated Hearing Officer will make decisions using a preponderance of the evidence standard.
3. The role of the Hearing Panel/Non-affiliated Hearing Officer is to recommend that the Appropriate Administrator accept, remand, or reject EOS' finding(s).
4. The Hearing Panel/Non-affiliated Hearing Officer can only recommend remanding EOS' finding(s) if:
  - a. an error or procedural defect occurred during the investigation that could have significantly impacted its finding(s), or
  - b. further EOS investigation is warranted for any other material reason.
5. The Hearing Panel/Non-affiliated Hearing Officer can only recommend rejecting EOS's finding(s) if
  - a. the weight of the evidence does not support or is contrary to EOS' finding(s), or
  - b. an error or procedural defect that significantly impacted the finding(s) is discovered and the error cannot be remedied.
6. While the Hearing Panel/Non-affiliated Hearing Officer will have the opportunity to review any evidence presented on appeal, their role is not to reinvestigate the original complaint or to review allegations that would otherwise constitute a new complaint under this Policy or any other University policy.

**D. Preparing for a Hearing**

1. Absent extenuating circumstances, the Title IX Coordinator will schedule a hearing to be held within fifteen (15) business days from the filing of the appeal.
2. Once the hearing is scheduled, requests to reschedule the hearing must be submitted in writing to the Title IX Coordinator and will be considered by the Hearing Panel/Non-affiliated Hearing Officer and the Title IX Coordinator.
3. The Complainant and Respondent(s) will be notified of the composition of the Hearing Panel or the identity of Non-affiliated Hearing Officer for their hearing. Within five (5) business days of this notification, the Complainant and Respondent(s) have the opportunity to object to a panel member or the Non-affiliated Hearing Officer for cause. The objection should be made in writing. The Title IX Coordinator, in consultation with the members of the panel, will consider any objection and replace the panel member or the Non-affiliated Hearing Officer if appropriate.
4. Both parties may bring an advisor of their choosing, consistent with the provisions of Section 14 of this policy. This advisor may be an attorney, provided by the party and at no cost to the University.
5. No later than five (5) business days prior to the hearing, all materials that will be used at the hearing must be submitted to the Title IX Coordinator or their designee, who will forward the materials to the Hearing Panel/Non-affiliated Hearing Officer and will simultaneously make available for inspection or provide the materials to both parties. The materials must include:
  - a. All documents and other tangible evidence that will be used as evidence during the hearing.
  - b. The names of any witnesses and a brief summary concerning the subject matter of the witness' expected testimony.
  - c. The name of any advisor to be in attendance at the hearing and whether that person is an attorney.
6. No advisor, witness, or document, or tangible evidence will be permitted at the hearing unless such information was timely submitted.
7. No new information as defined by Section 15.6 will be presented to the Hearing Panel/Non-affiliated Hearing Officer before or during the hearing.

8. It is the responsibility of the party wanting to present a witness to secure that witness.

**15.8. Step Eight: Hearing**

- A. Prior to the beginning of a hearing, the members of a Hearing Panel will select a Chairperson for the hearing.
- B. The general course of the hearing procedure will be as follows, subject to the discretion of the Panel Chairperson/Non-affiliated Hearing Officer:
  1. The Panel Chairperson/Non-affiliated Hearing Officer will convene the hearing, introduce the individuals present, give a brief description of the process and, invite questions about the process, and allow the parties the opportunity to present a brief opening statement;
  2. The appellant shall present their evidence (including calling and questioning their own witnesses) to the Panel/Non-affiliated Hearing Officer. If the other party participates, they shall have the same opportunity to present their evidence;
  3. EOS shall present their its' documentation related to the finding(s) to the Panel/Non-affiliated Hearing Officer;
  4. The Panel Chairperson/Non-affiliated Hearing Officer will allow the parties the opportunity to present a brief closing statement before concluding the hearing.
- C. During the hearing, the Panel Chairperson/Non-affiliated Hearing Officer may impose the following guidelines:
  1. The Panel Chairperson/Non-affiliated Hearing Officer may impose reasonable time limits on any stage of the hearing.
  2. The Panel Chairperson/Non-affiliated Hearing Officer may also determine the relevance of, and place restrictions on, any witness or information presented.
- D. The Panel Chairperson and/or Panel/Non-affiliated Hearing Officer may question any individual at any time during the hearing.
- E. The parties may question their own witnesses, but they cannot directly question each other or the any other party's witnesses.
- F. The parties may request that the Panel chairperson/Non-affiliated Hearing Officer ask questions of another party or their witnesses by submitting proposed questions to the Panel chairperson in writing either prior to, or during, the hearing.
- G. The Panel Chairperson/Non-affiliated Hearing Officer may determine which questions are relevant, and the Panel Chairperson/Non-affiliated



Hearing Officer has the discretion to revise a question or to decline to ask the question.

- H. An audio recording of the hearing will be kept for the use of the Panel/Non-Affiliated Hearing Officer and for any appeal.
- I. In cases where an appellant refuses to participate in the hearing, the Panel/Non-affiliated Hearing Officer will convene and make a decision based on the evidence and testimony available to the Panel/Non-affiliated Hearing Officer.
- J. This hearing process is an internal University process and not a formal courtroom process in which rules of evidence and courtroom procedures apply.
- K. Advisors may attend the hearing and sit with their advisee during the hearing, communicate quietly orally and/or in writing with their advisee during the hearing, and may respond to a direct question from the Panel/Non-affiliated Hearing Officer.
- L. An advisor will not be permitted to speak on behalf of the advisee, make an oral presentation, including an opening or closing argument, or to question witnesses, the EOS representative, or the Panel/Non-affiliated Hearing Officer during the hearing.
- M. If the Panel/Non-affiliated Hearing Officer determines it is necessary or advisable, alternative testimony options will be available such as allowing a witness to appear via other virtual means (e.g., via telephone).

**15.9. Step Nine: Panel/Non-Affiliated Hearing Officer Decision**

- A. If a Hearing Panel is utilized,
  - 1. After the hearing has concluded, the three voting members of the Panel will deliberate in private.
  - 2. The Panel's decision as described in Section 15.7.C.2 will be by majority vote.
- B. If a Non-Affiliated Hearing Officer is utilized, they will make their decision alone.
- C. The Panel/Non-affiliated Hearing Officer will communicate its decision by completing the Hearing Decision Form and forwarding it to the Title IX Coordinator within three (3) business days of the hearing. If the decision is to remand the case to EOS to correct an investigative error(s), the Panel/Non-affiliated Hearing Officer will indicate the error(s) to be corrected.
- D. The Title IX Coordinator will then provide a copy of the decision simultaneously to all parties involved in the complaint.

- E. If the case is remanded to EOS to correct an investigative error, EOS will investigate and submit an Amended Report of Finding(s) which includes the actions taken to correct the investigative error to the same Panel/Non-affiliated Hearing Officer for review. Once the hearing is scheduled, the process will then restart at Step 15.7.D.
- F. At the second hearing, testimony will begin with EOS' presentation, and all parties will be given the opportunity to respond to the new information provided by EOS, ask questions of EOS, and present any relevant witnesses and/or information.
- G. If the Panel accepts or rejects EOS' finding(s), any party or EOS may appeal the decision of the Panel/Non-affiliated Hearing Officer to the Appropriate Administrator.
- H. Any appeal must be filed in writing within five (5) business days of the Panel/Non-affiliated Hearing Officer's decision. If no appeal is filed by the deadline, the Panel/Non-affiliated Hearing Officer's recommendation(s) become final.

**15.10. Step Ten: Final Appeal to Appropriate Administrator**

- A. The role of the Appropriate Administrator is to accept, reject, or remand the Panel/Non-affiliated Hearing Officer's recommendation(s).
- B. The Appropriate Administrator can remand the case back to EOS' if they find:
  - 1. an error or procedural defect occurred during the investigation that could have significantly impacted EOS' finding(s), or
  - 2. further EOS investigation is warranted for any other material reason.
- C. The Appropriate Administrator can reject EOS' finding(s) if they find:
  - 1. the weight of the evidence does not support or is contrary to EOS' finding(s), or
  - 2. an error or procedural defect that significantly impacted the finding(s) is discovered and the error cannot be remedied.
- D. The Appropriate Administrator can remand the case back to the Panel/Non-affiliated Hearing Officer if they find an error or procedural defect occurred during the hearing that could have significantly impacted the Panel/Non-affiliated Hearing Officer's recommendation(s), or which caused harm to the appellant or appellee.
- E. If the Appropriate Administrator accepts or rejects the Panel/Non-affiliated Hearing Officer's recommendation(s), the decision becomes final.

- F. The Appropriate Administrator will review the record on appeal which may include the case file, appeal documentation, and hearing recording only, and will render a decision within fifteen (15) business days from the date that the appeal is filed.
- G. If the Appropriate Administrator extends the fifteen (15) day deadline, they must provide an explanation to the parties, EOS, and the Title IX Coordinator in writing by that deadline and every ten (10) business days thereafter.

#### 15.11. Step Eleven: Sanctions and Remedies

- A. If there is a finding of a violation of this Policy, and any appeal of the finding has been exhausted, EOS will recommend that appropriate university action be taken, and any sanction imposed on the Respondent(s) will be determined by and implemented by the appropriate administrator after consultation with the Title IX Coordinator.
  - 1. If there is a finding of a violation of this Policy against a faculty member, any sanctions imposed on the faculty member will be determined by and implemented by the appropriate administrator after consultation with the Title IX Coordinator and consistent with the university's faculty handbook/manual.
  - 2. If there is a finding of a violation of this Policy against a non-faculty University employee, any sanction imposed on the employee will be determined by and implemented by the appropriate administrator after consultation with the Title IX Coordinator and consistent with the university's policies and procedures related to employee discipline.
  - 3. If there is a finding of a violation of this Policy against a student, any sanction imposed on the student will be determined by and imposed by the Dean of Students' Office or its equivalent after consultation with the Title IX Coordinator and consistent with the university's policies and procedures related to student conduct/discipline.
- B. The sanctions for committing an act of Sexual Misconduct will be commensurate with the offense and may include, but are not limited to, the following:
  - Probation (including disciplinary probation)
  - Temporary or permanent ban from campus locations (such as residence hall communities)
  - Educational programs such as state-certified batterer's intervention

- Ban from participating in campus organizations or activities
  - Disqualification from employment or student leadership positions
  - Withholding of transcripts, grades, diploma, or degree
  - Partial or full criminal trespass
  - Suspension from employment and/or enrollment
  - Revocation of admission and/or degree
  - Termination of employment
  - Expulsion
- C. If a party is dissatisfied with a sanction determined by the appropriate administrator under Section 15.11, they may appeal the sanction as follows:
1. Any appeal to the sanction against a faculty member must be addressed through the university's faculty handbook/manual;
  2. Any appeal to the sanction against a non-faculty University employee must be addressed through the university's policies and procedures related to employee grievances;
  3. Any appeal to the sanction against a student must be addressed through the appeal process in the university's Student Code of Conduct or its equivalent.
- D. Remedies - Regardless of the finding(s), and in addition to sanctions that may be imposed pursuant to the appropriate disciplinary policy, the University will take appropriate action(s) to resolve complaints of Sexual Misconduct, prevent any recurrence and, as appropriate, remedy any effects. These actions may include, but are not limited to the following:
1. Ensuring the Complainant and Respondent do not share classes, working environments, or extracurricular activities;
  2. Making modifications to the on-campus living arrangements of a Respondent or Complainant (if the Complainant requests to be moved);
  3. Providing comprehensive, holistic victim services including medical, counseling, and academic support services such as tutoring;
  4. Determining whether Sexual Misconduct adversely affected the Complainant's University standing;
  5. In conjunction with University leaders, conducting a University climate check to assess the effectiveness of efforts to ensure that

the University is free from Sexual Misconduct, and using that information to inform future proactive steps that the University will take;

6. Providing targeted group training;
7. Issuing policy statements or taking other steps to clearly communicate that the University does not tolerate Sexual Misconduct and will respond to any incidents and to any individual who reports such incidents.

These remedies are separate from, and in addition to, any interim measures that may have been provided before the end of the University's investigation. If the Complainant did not take advantage of a specific service (e.g., counseling) when offered as an interim measure, the Complainant should still be offered, and is still entitled to, appropriate final remedies that may include services the Complainant declined as an interim measure.

#### **15.12. Step Twelve: Notification of Outcomes**

- A. The Title IX Coordinator and/or EOS will simultaneously notify the Complainant and the Respondent(s) in writing of the outcome of the following stages of the process:
  1. The initial finding(s), including a rationale
  2. The procedures to appeal a finding
  3. The outcome of any appeal, including any changes to the finding(s)
  4. Any interim sanctions imposed
  5. Any changes to interim sanctions
  6. The final outcome of the complaint
  7. Any imposed sanctions, including a rationale
  8. When the outcome is final
  9. Changes to sanctions related to the party once the outcome is finalized
- B. These notifications may be combined if they occur at the same time.
- C. In the case of a complaint alleging Dating or Domestic Violence, Non-consensual Sexual Contact, Sexual Assault, or Stalking, both parties will be notified of all imposed sanctions.
- D. In the case of a complaint alleging Sexual Harassment, Sexual Exploitation, or Sexual Intimidation, the Complainant will be notified of any sanctions that directly relate to the Complainant.

- E. The university will provide information regarding remedies available such as those discussed in Section 12. If a hostile environment was found to exist, the university will notify the Complainant of any additional steps the University has taken to eliminate the hostile environment and to prevent recurrence.

## 16. SPECIAL PROVISIONS

### 16.1. Immunity

To encourage reporting, the University may offer alleged victims and witnesses of Sexual Misconduct immunity for collateral misconduct provided such misconduct is of a non-violent nature, such as unauthorized use of alcoholic beverages. The University may impose educational responses rather than sanctions, in such cases. Decisions regarding immunity are made by the Title IX Coordinator in conjunction with the appropriate sanctioning body.

### 16.2. Allegations Involving University-Affiliated Organizations

- A. If a report is made alleging that a University-Affiliated organization has violated this Policy, EOS will make a referral to the appropriate administrative department and/or adjudicative body over that organization to ensure a timely, equitable process to determine if an Organization violated relevant University policies.
- B. EOS will work in partnership with the appropriate adjudicative body should there be concurrent investigations involving individuals and organizations, including, but not limited to, sharing information with appropriate University administrators who have a legitimate need to know.
- C. If a report is made involving an organization, EOS will seek to identify any individuals who may be involved. EOS will, in collaboration with the alleged victim whenever possible, determine whether a formal complaint under this Policy will be filed against any identified individuals.

### 16.3. Non-Participating Alleged Victims

- A. Alleged victims who decline to serve as a Complainant as per Section 15.1.B will maintain certain rights as per this Policy.
- B. When the University serves as a Complainant, it will work with the alleged victim to the extent they would like to participate.
- C. Non-complainant alleged victims do not have appeal rights as per this Policy.
- D. Non-complainant alleged victims receive the same notifications as the Complainant and Respondent as outlined in Section 15.12 of this Policy, unless they request otherwise.
- E. Non-complainant alleged victims always maintain the right to reasonable interim measures as outlined in Sections 12 and 15.2 of this Policy.



#### 16.4. Additional Interventions

- A. When a report is received alleging a violation of this Policy, the University will take appropriate steps to assess whether additional actions, beyond a formal investigation and possible disciplinary sanctions, are appropriate.
- B. These actions may be implemented regardless of whether a formal complaint is filed and regardless of whether a finding of a violation is made.
- C. Actions may respond to the specific needs of impacted persons and/or may address the needs of the University community.
- D. Actions may include extending interim measures provided to impacted persons such as those listed in Sections 12 and 15.2 or new actions taken the respond to immediate and long-term concerns regarding personal safety, academic success, and emotional well-being.
- E. Actions to address the needs of the University community may include, but are not limited to, training (both targeted training and campus-wide programs), campus safety assessments, campus climate surveys, and evaluation of policies and procedures.

#### 16.5. Reports Outside of University Jurisdiction

If the University is notified that a member of the University community has reported an incident of Sexual Misconduct, but the University does not have jurisdiction to handle the case as defined in Section 3, the University will still take reasonable steps to ensure the individual's safety while on campus and to offer the individual information about resources both on campus and in the community.

#### 16.6. Training

- A. Investigator(s) will receive training at least annually on the issues related to Sexual Misconduct and how to conduct the processes outlined in this Policy while being both trauma-informed and impartial while protecting the safety of alleged victims and promoting accountability.
- B. Members of the Equal Opportunity Services Hearing Board will receive training at least annually on the issues related to Sexual Misconduct. These individuals will also receive training regarding the role of EOS to enforce this Policy, best practices for hearings and hearing panelists, and their role in ensuring and promoting safety, due process, and accountability.
- C. The University will provide training for all incoming students and new employees that increase their knowledge about this Policy, their rights, and resources, as well as strategies to prevent violence, promote safety, and reduce perpetration. Employees will receive initial mandatory

training within thirty (30) days after their hire date and supplemental training every two (2) years.

- D. The University will provide on-going prevention and awareness campaigns for students and employees that will increase their knowledge about this Policy, their rights and resources, as well as strategies to prevent violence, promote safety, and reduce perpetration.

17. REVIEW AND RESPONSIBILITY

Responsible Party: Vice Chancellor for Legal Affairs and General Counsel

Review: Every three years on or before August 31

18. APPROVAL

Approved: Dona Cornell  
Vice Chancellor for Legal Affairs and General Counsel

Renu Khator  
Chancellor

Date: March 8, 2018

**REVISION LOG**

Revision Number	Approval Date	Description of Changes
Interim	11/29/2012	Initial version (submitted as Interim)

Revision Number	Approval Date	Description of Changes
Interim 2	08/07/2013	Added information to Section 1.2 on educational programs. Added Campus SaVE Act statement to Section 1.5. Revised Section 2.4 definition for "Student." Added additional parameters of Sexual Misconduct to Section 3. Revised Section 4 to be consistent with the Dear Colleague Letter. The web site definition for consent was added to Section 5.1, and the web site definition for sexual assault was added to Section 6.1. Sections 6.5 through 6.7 were added with information from the Campus SaVE Act. Added Section 8,

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		Risk Reduction Strategies, including documentation on bystander intervention from the Campus SaVe Act. Information on confidentiality and services available to victims was added to Section 9 from the Campus SaVe Act. Added “Order of Protection” phrase to Section 10 from the Campus SaVe Act. Documentation on EOS investigator training was added to Section 12.3. Added Section 12.6.4. Added information on Board training to Section 13.7. A brief opening statement for hearings was added to Section 13.9.1.a. Added documentation on reporting offenses off campus to Section 14.3. Added information to Section 14.5 on notification of outcomes from the Violence Against Women Reauthorization Act of 2013 and the Campus SaVe Act
1	08/25/2015	Current revisions after Interim 2 approved by the Board of Regents (BOR) during meeting on August 20, 2015, based on input from team composed of various system component members. Requirement for document approval prior to September 1, 2015 based on state law changes
2	12/04/2015	Revisions from BOR approval on August 20, 2015 include all current information regarding sexual misconduct policy guidelines from Texas Penal Code Title 5, Offenses Against the Person. Changed numbering in Section 14 through Section 19
3	06/29/2016	Updated Section 2.8 with hyperlink to the component campus Title IX Coordinators. Updated links as applicable
4	10/05/2017	Revised reference in Sections 9.1, 9.2, and 9.4 from “My Safe Campus” to “Fraud & Non-Compliance Hotline” to reflect current operating requirements. No additional changes were made by the Subject Matter Expert(s)
5	03/08/2018	Revised and rearranged entire document for easier readability and updated standards to reflect current operating requirements. Current revisions approved at March 8, 2018 meeting

## **13.0 Emergency Response, Evacuation Procedures and Emergency Communications**

The UHCL Police Department in conjunction with Emergency Management has developed an Emergency Operations Plan that provides the necessary guidance to organize and direct UHCL operations in the event of a major emergency or disaster.

The plan details the protocols and resources to be utilized in order to prepare for and / or prevent potential emergencies, and to deal effectively with the effects of these events if they do occur; to include timely response, personnel and property protection, recovery and resumption of the normal mission and critical operational functions of UHCL.

During emergency operations, the UHCL operates under the Incident Command System (ICS) – a system mandated by federal and state law that utilizes common command structures, protocols and terminology shared by all emergency responders. Under this system, a single Incident Commander directs all University and outside resources to carry out necessary tasks to mitigate the emergency. The Incident Commander is supplemented with a team of personnel known as the Crisis Management Team, who will assume various management responsibilities during the emergency and recovery phases.

The UHCL Emergency Operations Plan includes parameters for annual tests, drills and exercises of the emergency response and evacuation procedures to assure the plan is operating at the highest efficiency.

- These tests may be announced or unannounced;
- Annually, the department will publicize its emergency response and evacuation procedures in conjunction with at least one test;
- For each test, document a description of the exercise, the date and time, and whether it was announced or unannounced.

Every three years, the UHCL participates in a PEER review process where outside entities review the University's Emergency Operations Plan to assure it meets statutory standards and the needs of the University.

The University of Houston-Clear Lake operates a mass communication system in order to facilitate communications in an emergency situation. This system, known as Everbridge, is an opt-out system. This means that all employees and students are automatically enrolled in the system when they are hired or register. The system utilizes the emails and phone numbers in the UHCL database. When an employee or student updates his/her contact information, this is automatically updated in the Everbridge System as well. Updates to contact information in the Mass Communication System are made within 24 hours of the changes being provided to the University. To confirm contact information, students and employees should log on to their e-services account.

UHCL uses Everbridge during life safety and / or University closure situations. When used, messages will be sent via email and text to all emails and cellular phones in the system. The subject line of these messages will read U.H.C.L. ALERT. This is a signifier of an emergency message that requires the recipient's immediate attention. Messages will include instructions for follow up information or directions for specific action.

At the beginning of each semester (fall, spring and summer) the Everbridge System is tested using a random selection of employees and students to ascertain if the test messages were received and the speed in which the messages reached their destination.

### 13.1 Shelter in place and Lockdown Procedures

When a UHCL ALERT is received, it may include instructions to either Shelter in Place or Lockdown immediately, dependent upon the type of emergency. In an emergency, it is critical to know the difference between a "shelter in place" directive and a "lockdown" directive. These terms are not interchangeable, and refer to specific safety threats and countermeasures to be taken.

#### **Shelter-In-Place**

You may be advised to shelter in place rather than evacuate your building during emergency situations such as large hazardous material releases or severe weather emergencies. The recommendation for a campus-wide shelter in place will be conveyed through the UHCL ALERT emergency notification system.

- Stay inside the building or go indoors as quickly as possible if you are outside.
- Close windows to provide tighter seal against chemical vapors, smoke and/or fumes.
- Locate supplies you may need such as food, water, radio, or flashlights if you have them.
- In the event of a hazardous material release, close windows to provide tighter seal against chemical vapors, smoke and/or fumes. Turn off fans, air conditioning or ventilation systems, if you have control of these systems.
- Monitor the UHCL ALERT emergency notification system for further instructions.

#### **Lockdown**

A lockdown may be ordered through the UHCL ALERT emergency notification system during situations such as the presence of a hostile or armed intruder inside a building. A lockdown requires locking doors, windows, and barricading oneself to block entry to a campus facility, a classroom, or to an office suite.

- Lock or barricade class and office doors.
- Close windows and window treatments.
- Turn off the lights.
- Instruct everyone to remain silent and not to go into hallways.
- Crouch down in areas out of sight from doors and windows to conceal yourself as much as possible.

- If you are in hallways during the emergency, seek shelter immediately in the nearest classroom or office suite.
- If you are outdoors, you should immediately take cover.
- Monitor the UHCL ALERT emergency notification system for further instructions, or an “all-clear” signal.

These are general guidelines that will help you remember what to do in the event of a Shelter in Place or Lockdown event on campus, but each situation may present unique challenges. The most important aspect in both a Shelter in Place and Lockdown event is to put effective barriers between you and the threat.

The actions taken in the initial minutes of an emergency are critical. Plan ahead, and know your options. If you become aware of an emergency before receiving an official alert, take action to make sure you are safe, and contact emergency responders by dialing 911, or by contacting the UHCL Police Department directly at 281-283-2222.

## 14.0 Annual Fire Safety Report

The University of Houston-Clear Lake advocates a fire safety campus. The University includes eight classroom and administration buildings, four office buildings, one maintenance building, one residence hall, and one apartment complex on the main campus. There are two classroom and administration buildings at the campus located in Pearland, TX, and one classroom and administration building located in the Texas Medical Center.

The Residential Housing Facilities must comply with the regulations set forth in the Higher Education Act, the amended Higher Education Opportunity Act and any National Fire Protection Association's Life Safety Codes that concern on-campus housing. The Residential Housing Facilities must also adhere to any requirements established by the Texas State Fire Marshal and Fire Safety guidelines developed by the University of Houston-Clear Lake.

### 14.1 Applicable Definitions

1. **Cause of Fire:** The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.
2. **Fire:** Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.
3. **Fire Drill:** A supervised practice of a mandatory evacuation of a building for a fire.
4. **Fire-Related Injury:** Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term “person” may include students, employees, visitors, firefighters, or any other individuals.
5. **Fire-Related Death:** Any instance in which a person:



- (1) Is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or
- (2) Dies within one year of injuries sustained as a result of the fire.
6. **Fire Safety System:** Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire. This may include sprinkler systems or other fire extinguishing systems, fire detection devices, stand-alone smoke alarms, devices that alert one to the presence of a fire, such as horns, bells, or strobe lights; smoke-control and reduction mechanisms; and fire doors and walls that reduce the spread of a fire.
7. **Overhaul:** The practice of searching a fire scene to detect hidden fires or sparks which may rekindle, and to note the possible point of origin and cause of ignition.
8. **Value of Property Damage:** The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire, and related damages caused by smoke, water, and overhaul; however, it does not include indirect loss, such as business interruption.

### 14.3 Fire Log

The on-campus housing fire log contains information such as: cause of incident, date, time, and location of occurrence. The fire log is open to the public and is located at the University Forest Apartments Office, Hunter Hall, and the University of Houston-Clear Lake's Office of Emergency Management and Environmental Health & Safety. Statistics in this Annual Security Report only reflect University Forest Apartments. Hunter Hall opened in Fall 2019.

### 14.4 Fire Statistics

Fire Statistics 2018						
Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Property Damage & Value
2600 Bay Area Blvd. University Forest Apartments	1	1	Cooking	0	0	\$48,981

Fire Statistics 2017						
Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Property Damage & Value
2600 Bay Area Blvd. University Forest Apartments	0	0	None	0	0	\$0

Fire Statistics 2016						
Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Property Damage & Value
2600 Bay Area Blvd. University Forest Apartments	1	1	Cooking	0	0	\$25

## 14.5 Fire Safety Systems

All but 3 of the buildings on all campuses are monitored with an automatic fire detection/alarm system. All buildings have smoke detector/alarms in place. All systems are tested annually by a certified inspector.

The following fire safety systems are in place at the University Forest Apartments:

- 30 emergency pull station alarms located at Buildings 4, 5, 7, 9 and 10.
- Fire Extinguisher in each individual apartment unit.
- Smoke detectors (non-monitored) in each individual apartment unit.

The following fire safety systems are in place at Hunter Hall:

- 11 emergency pull station alarms are located at each exit.
- Fire extinguishers are located on each floor, in accordance with NFPA.
- Smoke detectors are located in each living space.

## 14.6 Emergency Evacuation Drills

Fire evacuation drills will be completed at each Residential Facility each semester.

## 14.7 Evacuation Procedures

If a fire alarm is received at any campus facility, all persons within the building are to evacuate the building into the nearest parking lot unless an ALL CLEAR announcement has been made. During a fire alarm event, the UHCL Police and UHCL Facilities and Construction Management shall inspect the alarm location to determine if the fire department is needed. Based upon their findings, the UHCL Police will make a follow up announcement via the building's fire address system. During an evacuation, assist your classmates and colleagues, particularly those who may have a disability. Evacuations should be made via stairwells whenever possible. If you are unable to evacuate yourself or you cannot assist someone in evacuating, please contact the UHCL Police at 281-283-2222 and advise them of your location and type of assistance needed.

### Emergency Evacuation at University Forest Apartments and Hunter Hall

- Remain alert, but calm.

- If safe to do so, leave immediately and shut the door.
- Go to the parking lot area furthest away from the danger zone.
- **Call UHCL Police at 281-283-2222 or 911** to report the fire.
- Activate an emergency alarm pull station box to notify other residents that there is a fire.

## 14.8 Reporting a Fire

All fire emergencies should be reported to **UHCL Police by calling 281-283-2222, or 911.**

## 14.9 Fire Safety Education & Safety Programs

### Policy on Portable Electrical Appliances, Smoking, and Open Flames

The following policies are in effect at University Forest Apartments and Hunter Hall, in order to reduce risk of fire:

#### Grilling

Use only designated barbeque pits for grilling on campus.

#### Smoking

Smoking cigarettes, cigars, pipes, etc., is allowed only if all residents in apartment agree. Hookahs are not permitted within apartments.

#### Candles & Incense

Candles, incense and any other form of open flames are not allowed within apartments.

#### Electrical Safety

Make sure cords have no exposed wires.

University Forest Apartments does not allow multiple outlets, also known as “octopus plugs,”

No halogen lamps are allowed at University Forest Apartments.

No electric or gas space heaters are allowed at University Forest Apartments.

#### Inspections

Environmental Health & Safety staff perform routine inspections and maintains all fire extinguishers, smoke detectors, and emergency pull station alarms.

The Texas State Fire Marshal performs inspections at University Forest Apartments at least every two years to determine whether:

Fire extinguishers are present and have been recently inspected.



Smoke detectors are in place and are in working order.

Pull stations are operational and have been inspected.

#### Campus Safety Programs, Have an Exit Strategy (HAES) Program

The University of Houston-Clear Lake takes part in the Have an Exit Strategy (HAES) Program funded by a federal grant through the Texas State Fire Marshal's office. The HAES program was developed to educate the campus community to become fire safety conscious. Through this program, the campus body becomes more aware of their surroundings, locating exits, and identifying fire hazards and how to prevent them from occurring. The program uses handouts, emails, flyers, campus TV ads, doorknob hangers, etc. to educate the community. This program works in concert with the campus' Fire Safety Rules and Procedures to promote fire safety. Campus fire safety Information is located on the University of Houston-Clear Lake website: <https://www.uhcl.edu/about/administrative-offices/environmental-health-safety>

#### Fire Extinguisher Training

Fire extinguisher training is offered several times a year, in person, online, and by request through the UHCL Emergency Management & Fire Safety Department at 281-283-2250.

### **14.10 Future Improvements in Fire Safety**

The University of Houston-Clear Lake's Office of Emergency Management and Environmental Health & Safety has plans to begin a fire warden program at the UFA and Hunter Hall. This plan designates several individuals to take a leadership role during a fire emergency by ensuring their neighbors know the fire emergency, evacuation procedures, assist with fire drills and help promote fire safety awareness.

### **14.11 Additional Fire Safety Information**

For additional fire safety information, visit the Emergency Management website: <https://www.uhcl.edu/about/administrative-offices/environmental-health-safety>

## **15.0 Missing Student Notification**

The University of Houston-Clear Lake is committed to creating and maintaining an institutional environment that promotes the safety and well-being of its students. To this end, Student Housing and Residential Life has established an internal statement and process designed to identify and assist enrolled UHCL students who reside in on-campus housing (Hunter Hall residents only) and who have been reported missing for more than 24 hours. This statement is enacted in compliance with the requirements outlined in the Higher Education Opportunity Act of 2008 and The Handbook for Campus Safety and Security Reporting.

Student Housing and Residential Life's missing student notification procedures will go into effect within 24 hours of the determination that a student who lives in on-campus student housing has been missing for 24 hours.

1. All on-campus residents will be informed that they have the option to identify an individual that the institution can contact no later than 24 hours after the time that the student is determined to be missing.
2. Student Housing and Residential Life will provide each on-campus resident a method of registering confidential contact information for the individual that they identify as the person to be contacted in the event that they are determined to be missing for more than 24 hours. This process is made available in the RMS Housing management system.
3. Student Housing and Residential Life will inform each on-campus resident under the age of 18 (who is not emancipated) that they must register contact information for a custodial parent or guardian to be contacted in the event that they are determined to be missing for more than 24 hours.
4. The University of Houston-Clear Lake will notify the local law enforcement agency within 24 hours of the determination that the resident is missing, unless the local law enforcement agency was the entity that made the determination that the resident is missing.
5. Any person who suspects that an on-campus resident has been missing for more than 24 hours should immediately contact UHCL Public Safety (281-283-2222), Student Housing and Residential Life (281-283-2615), or the Dean of Students office (281-283-2567). Any information regarding a suspected missing student provided to Student Housing and Residential Life or the Dean of Students office will be immediately reported to UHCL Public Safety. In the absence of UHCL Public Safety, the Houston Police Department (the local law enforcement agency) should be notified (832-395-1777).
6. If an investigation conducted by UHCL Public Safety concludes that the subject of a missing student report has been missing for more than 24 hours and has not returned to campus, UHCL Public Safety will initiate communication with the missing student notification contact that the on-campus resident has designated. Student Housing and Residential Life will be responsible for providing access to this information to UHCL Public Safety on a 24-hour, seven-days-a-week basis through its on-duty or on-call staff.
7. If the on-campus resident who is the subject of a missing person report has not designated a missing student notification contact, UHCL Public Safety will conduct an investigation using guidelines established by the Texas Department of Public Safety Bureau of Information Analysis Missing Person Clearing Housing Unidentified Persons/DNA Unit.

### **Missing Student Investigations**

The UHCL Police takes all reports of missing students seriously. These reports are immediately and thoroughly investigated following the department's Missing Persons directive. The UHCL Police will use all resources at its disposal to locate reported missing students, including

assistance from outside local, state and federal authorities.

## 16.0 Important Phone Numbers

### Emergency

911 (off-campus, or cell phone); 911 (on-campus phone)

### University of Houston-Clear Lake Police Department

281-283-2222

### Emergency Information Hotline (School Closure Hotline)

281-283-2221

### University of Houston-Clear Lake Title IX Coordinator

281-283-2305

### Dean of Students Office

281-283-2567

### University of Houston-Clear Lake Counseling Service

281-283-2580

### University Information (Operator)

281-283-7600

### University Health Center

281-283-2626

### University CARE Line (Student Behavioral Concerns)

281-283-2273

### University Forest Apartments

281-286-5959



### *Information about this Report*

*Thank you for your interest in campus safety. If you need more information on this report and the topics it covers, please contact Chief Allen Hill via phone: 281-283-2222 or email: [policechief@uhcl.edu](mailto:policechief@uhcl.edu).*