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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.

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 Chief of Police Paul S. Willingham. Through Chief Willingham, 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 Willingham at (281) 283-2222 or by electronic mail: policechief@uhcl.edu

To learn more about the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, please visit: www.clerycenter.org/

We hope this publication proves helpful and informative.

Sincerely,

[Signature]

Paul S. Willingham
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 student residence facilities.
   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, such as an individual who is responsible for monitoring 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.

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 (i.e. Pearland Campus, TMC Campus).
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 Campus Disciplinary Action: The referral of any person to any campus official who initiates a disciplinary action of which a record is kept 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.

3.0 Reporting Criminal Activities, Emergencies & Other Incidents

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. All campus crimes should be reported to the UHCL Police Department. 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 threat, the police department will send out a media release, mass e-mail, and/or web posting of the incident to help prevent similar crimes from happening. The police department will make every effort to protect the identity of the victims and 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 / Code Green

In the event of an emergency such as a sudden weather event or criminal act that threatens personnel safety, the University of Houston-Clear Lake will make an emergency notification to all and/or the affected portions of the campus community. Some examples include, but are not limited to: 1) If a tornado touched down near the University of Houston-Clear Lake Pearland Campus, Pearland Campus students and employees will be notified of the emergency and given appropriate safety instructions; 2) If a shooting event occurred at the UHCL campus, the campus community would be notified and given instructions; 3) If a crime trend off on or near campus is impacting community safety, the campus community will be notified and provided prevention recommendations.

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, employees and students should visit [www.uhclemergency.info](http://www.uhclemergency.info) and follow the appropriate links to update contact information. This is also method to opt out of the system, although this is not recommended.

Emergency notification messages that require immediate reading due to imminent life safety threats start with the term **CODE GREEN** in the subject line. When a message is received with this subject line coding, the community is asked to stop what they are doing and 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, date, time, general location, and the disposition. The Daily Crime Log will not include reports made to other police agencies. The UHCL Police Department updates the log within 48 business hours of a crime’s occurrence. The
UHCL Police Department maintains a seven-year archive of Daily Crime Logs. The Daily Crime Log is distributed as follows:

- **UHCL Police Webpage: [www.uhcl.edu/police](http://www.uhcl.edu/police).** The webpage log is updated within 48 business hours of occurrence and is the most up to date version of the log.
- A synopsis of the previous month’s log is emailed monthly to all university employees and students.
- The last two months of the log are posted to the Police Blotter Bulletin Board in the hallway adjacent to Police Headquarters at Bayou 1636.

**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 damage 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 designated 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)), by clicking the Clery Act footer at the bottom of the University’s webpage, or by directly going to [www.uhcl.edu/clery](http://www.uhcl.edu/clery).

### 3.5 Reporting a Crime or Emergency

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.

All Campus Security Authorities are required to immediately report crimes reported to them to the UHCL Police Department. It is also highly encourage that counseling staff, if and when they deem it appropriate, inform the persons they are counseling of the crime reporting procedures detailed in this section for inclusion in the annual disclosure of crime statistics.

3.5.1 Reporting Procedures: 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?

Crimes 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 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 is inside my apartment.")

- What are the suspect(s) physical characteristics? (sex, height, weight, hair color, race, etc.)
- What was the suspect wearing? (distinctive 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 dispatcher.

- The UHCL Police Dispatch Center will accept emergency calls via its regular phone number. If you prefer to skip 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 will seek criminal charges for all instances of false report on the UHCL campus.

3.5.3 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.
3.5.4 Voluntary Confidential Reporting / My Safe Campus

Definition of Voluntary Confidential Reporting is 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.

The University of Houston-Clear Lake strongly encourages reporting all crimes on campus to the UHCL Police Department. 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 My Safe Campus anonymous incident reporting system. In order to make a report, simply visit www.mysafecampus.com (a link to this website can also be found at the police department web page: www.uhcl.edu/police), click on “Make a Report”, and enter “University of Houston-Clear Lake” into the Institution Search Engine. From there, follow the prompts to make your report. If you prefer using the telephone, you may call 1-800-716-9007 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. In addition, the UHCL Police makes every effort to protect the privacy of all crime victims.

4.0 Facility Access, Security & Maintenance

The UHCL Police Technical Services Division manages the university's access control and key distribution systems. Proximity cards are assigned to all 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 Designate controlling the space where access is being requested.

For students, all key and access control requests should be made through their school’s designated Security Delegate. This delegate is normally attached to the respective school’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 has 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 and 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.

Except for those authorized students, faculty, and staff, access to non-residential campus buildings is restricted 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 10:00PM, except the Bayou Building, which remains open based upon the library’s schedule – normally midnight on weekdays when class is in session and Delta Building, which maintains engineering and computer labs open until 3:00AM.

4.2 Residential Buildings

The University of Houston-Clear Lake has one residential community on campus, the University Forest Apartments (UFA). The 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 this property and responds to requests for police service. The UHCL Police Department also works with the UHCL Office of Risk Management,
UHCL Emergency Management Office, and the UFA Management to test fire and safety systems.

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

- Lock apartment 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 you car unlocked and do not leave valuables 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 (near mailboxes) regularly for updates on criminal or suspicious activity in the complex.
- 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 Advisor 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 Risk Management inspects campus walkways regularly, checking for adequate lighting, replacement of burned-out lights, and trip hazards. UHCL Police Officers lock exterior doors 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 orders can also be submitted through the Facilities Management and Construction website at http://prtl.uhcl.edu/portal/page/portal/FMC.
5.0 Campus Law Enforcement

*University of Houston-Clear Lake Police Department*

The University of Houston-Clear Lake Police Department is a nationally accredited law enforcement agency under the direction of Paul S. Willingham, Chief of Police. The department has an authorized strength of twenty-seven full time employees (sixteen sworn peace officers and eleven civilian support personnel), three contract security guards and ten part-time student employees. The department is organized into three components: Operations (Patrol, Dispatch, Criminal Investigations, Community Outreach, Department Training, Emergency Preparedness, Event Planning and Recruiting), Technical Services (Access Control, Information Systems and Lock Shop), and the Office of the Chief of Police (Accreditation, Internal Affairs, Inspections, Records, Hawk Patrol and Budget). 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 9,800 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.
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 professional attitude at all times 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

The UHCL Police Department is organized into three components – Operations, Technical Services, and the Office of the Chief of Police.

**Office of the Chief of Police**

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 so as 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.

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 and internal affairs functions. In addition, the Office of Professional Standards handles Public Information, Records, Inspection Services, Risk Management Assessments, and the Hawk Patrol student program.

**Operations:**

Operations 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.

The Operations Commander is a Police Lieutenant, who also serves as the assistant chief of the police department.

Operations consists of four squads (three patrol squads and one investigations squad) covering 24-hours a day, seven days a week, every day of the year. Police Sergeants, who report directly to the Operations Commander, lead each squad.
Operations is responsible for:

- Patrol and Emergency Response
- Victim/Witness Assistance
- ATV Patrol
- Traffic Enforcement
- Motorist Assistance
- Police Dispatch Center
- Emergency Preparedness
- Criminal Investigations
- Recruiting
- Special Events Planning
- Property and Evidence Management
- Community Outreach
- University Background Checks
- Administrative Investigations

*Technical Services:*

Technical Services is the branch of the police department that handles the ever-growing area of security technologies. From access control, to burglar alarms, to surveillance closed circuit television, to conventional mechanical locks, Technical Services is charged with maintaining a functioning security network while integrating new technologies to further improve campus safety. This group also handles all internal police department technology such as in car electronics, data servers and access encryption.

Technical Services consists of specially trained IT and Access Control Technicians led by a civilian Systems Operations Manager.

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 2008, in an effort to improve our services and provide the UHCL community with a law enforcement agency that reflects the industry’s best practice standards, the UHCL Police Department entered into an agreement with the Commission on Accreditation for Law Enforcement Agencies (CALEA – [www.calea.org](http://www.calea.org)) to seek national accreditation. The accreditation process is an arduous and detailed endeavor that takes approximately three years to complete. Using CALEA’s standards manual as a guide, the UHCL Police Department developed policies, procedures, and practices that met or exceeded industry applications in administration, operations, prevention and communication. In December 2011, 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 March 24, 2012.
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. The police department submits annual reports to the Commission while preparing for the next onsite visit in 2014, where again the department will be required to show proofs it has complied with the high standards set by CALEA throughout the previous three years.

The honor of accreditation is held by less than 4% of all law enforcement agencies in the United States. 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 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 statewide, its primary jurisdiction is Harris and Brazoria Counties with a focus on the UHCL and UHCL Pearland 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 the UHCL campus.

5.5 Working Relationships with Other 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 action. 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. Furthermore, the UHCL Police Department maintains a close working relationship with local, state and federal law enforcement agencies to include the Houston Police Department, 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 Clear Lake 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 Security Awareness & Crime Prevention Programs

Every member of the university community is a functional crime prevention operative. University of Houston-Clear Lake Police Department officers are specifically trained to interface 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 coordinates community training programs and conducts risk assessment reviews on all facilities. 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 designed to meet this goal:

- **Weekly 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 weekly 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 and suspicious happenings on campus.

- **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:

  - Active Shooter*
  - Crime Prevention 101*
  - Critical Incident Response
  - Bicycle Registration
  - Hurricane Safety*
  - Incident Command Systems
  - Office Risk Assessment
  - Operation ID
  - Parking Lot Safety
  - Personal Safety
  - Rape Aggression Defense
  - Refuse to Be a Victim
  - Theft Prevention
  - Women’s Safety Issues

* Active Shooter, Crime Prevention 101, and Hurricane Safety are also available via the UHCL Police website at [www.uhcl.edu/police](http://www.uhcl.edu/police).

To request a particular program, call the Crime Prevention and Investigations Unit at 281-283-2228 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.

### 6.1 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.
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 in 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.

**Remember!**

*Awareness is the key to your safety*

### 6.2 Rape Awareness / Rape Aggression Defense

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 Student Affairs to develop reporting and investigative procedures that protect the sexual assault survivor, while insuring justice is served. The UHCL Police has a Mutual Aid Agreement with the 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.

*The UHCL Police Department offers Rape Aggression Defense* (RAD) classes to the university community ([www.rad-systems.com](http://www.rad-systems.com)) free of charge. Classes are held several times each year. For information on future Rape Aggression Defense Classes, please email RAD@uhcl.edu.
6.3 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 gunman 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). Several agency members are certified instructors and all agency personnel partake in annual refresher training and exercises on campus.

The UHCL Police Department also offers training classes for community members on how to respond if they are trapped in an active shooter scenario. In addition, to training classes, the UHCL Police offers a training video to community members on its website (www.uhcl.edu/police). Along with the video, there is a printable PDF handout that highlights important safety points. 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.

6.4 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 twenty-four 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 police department’s website at www.uhcl.edu/police or the Dean of Students website: (http://prtl.uhcl.edu/portal/page/portal/DOS/Forms/CARE).

Remember, if a threat is imminent, please do not call this line, but call 281-283-2222, or 911 for immediate emergency response.
6.5 Police Department Safety Enhancement Services

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 http://prtl.uhcl.edu/portal/page/portal/SLO/Shuttle_Service.

Student Lot Patrol (Hawk Patrol)
In September 2012, the UHCL Police Department initiated its inaugural student lot patrol program. Student employees, who have passed the department’s rigorous background investigation, patrol the student lots on foot and in vehicles from 3:00PM – 11:00PM, Monday through Thursday during the fall and spring semesters. The student lot patrol, called Hawk Patrol, wears bright Hi-Viz yellow uniform shirts and drive the specially marked Hawk Vehicle. They provide general security, safety transportation escorts upon request, 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 Police 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 thirty (30) 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. 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 Federal *Clery Act*, the university publishes its Clery defined crime statistics for the previous three years at [www.uhcl.edu/clery](http://www.uhcl.edu/clery). A link is also available at the footer of every web page on the [www.uhcl.edu](http://www.uhcl.edu) domain. 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 website.

### 6.6 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 “University of Houston-Clear Lake Police Department”.

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

Links to both 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 2011 – 2013. 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 ALL reported campus criminal and unusual police activity from 2009 – 2013. This total view, beyond the minimum requirements of federal statute, is offered to allow our community members to compare the campus crime rate with that of the surrounding area.
and other universities throughout the state and nation. The University of Houston-Clear Lake believes it matches up favorably with the safest campuses around the nation.

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
- Sex Offenses (forcible or non-forcible)
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Manslaughter
- Arson
- Hate Crimes
- Domestic Violence
- Dating Violence
- Stalking
- Arrests or referrals for campus disciplinary action for
  - Liquor Law Violations
  - Drug-related Violations
  - Weapons Possession
- Arson
- Domestic Violence
- Dating Violence
- Stalking

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

7.2 Applicable Reporting Locations

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
- Dormitories or Other Residential Facilities for Students On Campus

See Section 2.0: Definitions defines these locations.

7.3 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

1. Criminal Offenses
2. Alcohol / Drug / Weapons Violation Arrests
3. Hate Crimes
4. Violence Against Women

**Criminal Offenses**

- **Murder and Non-negligent Manslaughter**: The willful (non-negligent) killing of one human being by another.
- **Negligent manslaughter**: The killing of another person through gross negligence.
- **Sex Offenses – Forcible**: Any sexual act directed against another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent.
  - **Forcible Rape**: The carnal knowledge of a person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth). This offense includes the forcible rape of both males and females.
  - **Forcible Sodomy**: Oral or anal sexual intercourse with another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
  - **Sexual Assault with an Object**: The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity. An object or instrument is anything used by the offender other than the offender’s genitalia. Examples are a finger, bottle, handgun, stick, etc.
  - **Forcible Fondling**: The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.
- **Sex Offenses - Non-Forcible**: Unlawful, non-forcible sexual intercourse
  - **Incest**: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - **Statutory Rape**: Non-forcible sexual intercourse with a person who is under the statutory age of consent.
• **Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence 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.

**Alcohol / Drug / Weapons Violation Arrests**

• **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.

• **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.

**Hate Crimes**

**Hate Crime:** A criminal offense committed against a person or property, which is motivated, in whole or in part, by the offender’s bias. Bias is categorized if a campus security authority has manifest evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, disability, sexual orientation, gender identity, or ethnicity/national origin. For Clery purposes, hate crimes include the following offenses if motivated by bias:

• **All of the previously defined Criminal Offenses.**

• **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, or 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.

• **Any other crime involving bodily injury.**

*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:** The term “dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on a consideration of the following factors:
  a. The length of the relationship.
  b. The type of relationship.
  c. The frequency of interaction between the persons involved in the relationship.

• **Domestic Violence:** Includes felony or misdemeanor crimes of violence committed by:
  a. Current or former spouse of the victim.
  b. A person with whom the victim shares a child in common.
  c. A person who is cohabitating with or has cohabitated with the victim as a spouse.
  d. A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies.
  e. An adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

• **Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress.

### 7.4 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.
CRIMINAL OFFENSES (Clery Required Offenses Only)

<table>
<thead>
<tr>
<th>OFFENSE</th>
<th>YEAR</th>
<th>ON-CAMPUS PROPERTY</th>
<th>ON-CAMPUS STUDENT HOUSING FACILITIES</th>
<th>NONCAMPUS PROPERTY</th>
<th>PUBLIC PROPERTY</th>
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*2012 Unfounded Robbery in Student Housing
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<th>ON-CAMPUS STUDENT HOUSING FACILITIES</th>
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UNIVERSITY OF HOUSTON-CLEAR LAKE TEXAS MEDICAL CENTER ARRESTS AND DISCIPLINARY REFERRALS

<table>
<thead>
<tr>
<th>OFFENSE</th>
<th>YEAR</th>
<th>GEOGRAPHIC LOCATION</th>
<th>ON-CAMPUS PROPERTY</th>
<th>ON-CAMPUS STUDENT HOUSING FACILITIES</th>
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7.5 All UHCL Reported Crimes and Unusual Activity

The UHCL Police Department in cooperation with community members has effectively addressed crime on campus. A comparison of crime statistics reveals that crime on the UHCL campus is significantly below that of the surrounding Houston and Pasadena communities. Comparing UHCL’s overall crime statistics will demonstrate that the campus’ safety record reflects favorably when compared to other universities and colleges throughout the nation.

UHCL believes in empowering its community with knowledge of issues that face the campus so that the community is better equipped to assist the police department in combatting campus problems before they fester and grow out of control. As part of that effort, the university’s annual report goes beyond the crime report required through the Clery Act and provides a
detailed breakdown of crimes on campus over the past five years, along with traffic accidents investigated, outside agency warrants served, and the police department clearance rate. In 2013, the police department began tracking suspicious person calls as well.

**2013**
- Assault – 2
- Burglary – 2
- Burglary of a Motor Vehicle – 1
- Credit Card Abuse – 3
- Criminal Mischief – 5
- Criminal Trespass – 1
- Disorderly Conduct – 1
- Driving Without a License – 7
- Drug Crimes – 1
- Duty Upon Striking Unattended Vehicle – 3
- False Report – 1
- Fraud – 1
- Harassment – 2
- Illegal Hunting – 1
- Indecent Exposure – 1
- Public Intoxication – 2
- Reckless Damage – 1
- Terroristic Threat – 2
- Theft – 15
- Unauthorized Use of Vehicle – 1
- Unlawful Carrying of a Weapon - 1

**Total Crimes Reported – 54**
**Traffic Accidents Investigated – 35**
**Suspicious Activity Investigated – 106**
**Outside Agency Warrants Served – 17**

**Arrests – 21**
**Exceptionally Cleared – 11**
**Clearance Rate – 59%**

**2012**
- Aggravated Robbery – 1
- Assault – 1
- Burglary of a Motor Vehicle – 1
- Credit Card Abuse – 2
- Criminal Mischief – 43
- Disorderly Conduct – 1
- Driving While Intoxicated – 1
- Driving Without a License – 8
- Drug Crimes – 4
- Duty Upon Striking Unattended Vehicle – 6
- False Report – 2
- Illegal Dumping – 2
- Public Intoxication – 1
- Theft – 12

**Total Crimes Reported – 85**
**Traffic Accidents Investigated – 18**
**Outside Agency Warrants Served – 12**

**Arrests – 17**
**Exceptionally Cleared – 42**
**Clearance Rate – 69%**

**2011**
- Assault – 2
- Burglary of a Motor Vehicle – 4
- Criminal Mischief – 3
- Disorderly Conduct – 5
- Driving While Intoxicated – 3
- Driving without a License – 5
- Drug Crimes – 4
- Duty Upon Striking Unattended Vehicle – 4
- Evading Arrest – 1
- Harassment – 1
- Public Intoxication – 3
- Stalking – 1

Total Crimes Reported – 59
Traffic Accidents Investigated – 20
Outside Agency Warrants Served – 17

- Theft – 20
- Unauthorized Use of Vehicle – 1
- Weapons Possession – 2

Arrests – 23
Exceptionally Cleared – 10
Clearance Rate – 56%
2010
- Burglary of a Motor Vehicle – 1
- Supplying Alcohol to Minor – 1
- Credit Card Abuse – 1
- Criminal Mischief – 5
- Curfew Violation – 1
- Disorderly Conduct – 2
- Driving While License Suspended – 6
- Drug Crimes – 2
- Duty Upon Striking Unattended Vehicle – 6
- False Alarm / Report – 1

Total Crimes Reported – 63
Traffic Accidents Investigated – 34
Outside Agency Warrants Served – 12

2009
- Assault - 2
- Burglary of a Habitation – 1
- Burglary of a Motor Vehicle – 1
- Consumption of Alcohol by Minor – 1
- Credit Card Abuse – 2
- Criminal Mischief – 7
- Criminal Trespass – 2
- Disorderly Conduct – 5
- Disruption of Public Meeting – 1
- Duty Upon Striking Unattended Vehicle – 7

Total Crimes Reported – 64
Traffic Accidents Investigated – 32
Outside Agency Warrants Served – 3

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 supplementary law enforcement response and preventative patrol. The UHCL Police works with these apartment complexes to stay informed of crime trends on their properties and provide extra patrols. 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.

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 use or possession of alcoholic beverages is prohibited on all university property, except the University Forest Apartments. The sale, use, or possession of alcohol may be allowed in certain instances, but only by appropriate university approval through the Office of the President. Any use of alcohol is subject to all state statutes.

The manufacture, use, possession, sale or distribution of any controlled substance without the proper prescription on university property or at university events is strictly prohibited.

The following is the UHCL Drug and Alcohol Abuse Prevention Policy as approved verbatim by the University Council in July 2012.

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

There are millions of American individuals adversely affected by their progressive dependence on drugs or alcohol. According to the 2010 National Survey on Drug Use and Health [1] an estimated 22.6 million Americans or 8.9% of the population aged 12 or older, are current illicit drug users. Among the young adult age group (18 to 25 years), 21.5% are current illicit drug users compared to 6.6% among adults aged 26 or older. Regarding alcohol users, an estimated 131.3 million Americans, or 51.8% of the population aged 12 or older, report being current drinkers of alcohol, 6.7% report being heavy drinkers, and 23.1% participate in binge drinking at least once in the 30 days prior to the survey. Finally, the 2011 National Drug Abuse and Addiction [2] reports economic costs of approximately $181 billion and $235 billion for illicit drug and alcohol use, respectively.


Health Risks

The abuse of drugs and alcohol can lead to a variety of serious consequences including: poor academic performance; poor decision making; poor morale; work errors; wasted time and materials; damage to equipment; theft; tardiness; absenteeism; accidents which injure the drug abuser; accidents which put employees and students at risk of injury; and may lead to disciplinary action, prosecution, illness, and even death. Abusers of these substances experience depression, isolation, loss of memory, loss of coordination, impaired judgment, reduced morale, anxiety, paranoia and loss of self-respect.
Philosophy
The unlawful use of drugs or abuse of other drugs and 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 program in operation, accessible to all members of the university community. The university is committed to the further expansion of that program 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 of 1989 and believes that these acts and their regulations provide a proper framework for the drug and alcohol abuse policies of the university.

Definitions
The following terms are important for purposes of expressing the university’s policy on a drug free workplace:

A. 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 and Safety Code, and 481.001 et seq].

B. 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.

C. Conviction means finding of guilt (including a plea of nolo contender) 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 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 to grant programs whether or not exempted from coverage under the grant 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 benefits 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 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. **A university activity means** an activity officially sponsored by the University of Houston-Clear Lake.

L. **Workplace** means the physical boundaries of the university and facilities owned or controlled by the university.

**Policy**

It is the policy of the university that illicit drug use, including the manufacture, sale, distribution, dispensation, possession, or use, is prohibited in the workplace, on the campus, or as part of any university activities. Sanctions imposed for violation of this policy are indicated below.

**Application of Policy**

The Drug and Alcohol Abuse Prevention Policy is supported by a drug free awareness and alcohol education program available to the faculty, staff and students of the university. Specific compliance and reporting items enumerated in the policy (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 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 of 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 not later than 5 days after such conviction.

D. Will notify the appropriate federal agency within 10 days after receiving notice of criminal drug statute conviction for a violation occurring in the workplace of any university employee engaged in performance of a 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 of 1988 and the Drug-Free Schools and Communities Act 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.

Implementation
Implementation of this policy is a joint responsibility of the Office of Human Resources, the Office of Research Administration, University Police and the Student Services division.

Penalties for Violation of the Policy
The university policy prohibiting the unlawful possession, use, or distribution of illicit drugs and alcohol on the campus and at university-sponsored events held off campus is for the support and protection of employees and students of the University of Houston-Clear Lake. Therefore, 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 in accordance with the Discipline and Dismissal of Non-faculty policy or the Dismissal of Faculty policy. Further, the employee may be referred for criminal prosecution and may be required to participate in a satisfactory manner in a drug and alcohol assistance or rehabilitation program. Referrals to rehabilitation programs will be as a result of joint consultation between the employee and the Coordinator of Work/Life Services in the Office of Human Resources. Supervisors who suspect that an employee may be in violation of this policy or may be under the influence while at work, must consult with the Executive Director of Human Resources and/or the University Police Department before any action is taken.

Any student found guilty of violating Student Life Policies regarding the unlawful possession, use, or distribution of illicit drugs and alcohol on campus or at university-sponsored events held off campus will be subject to disciplinary action. This action consists of penalties up to and including probation, suspension, and expulsion. The student may be referred for criminal prosecution and may be required to participate in a satisfactory manner in a drug and alcohol assistance or rehabilitation program.

Further information concerning disciplinary action and appropriate procedures for employees is available from the Office of Human Resources (281-283-2160) and for students from the Dean of Students Office (281-283-2567).
<table>
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<tr>
<th>Section</th>
<th>Health and Safety Code</th>
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<tr>
<td>481.112</td>
<td>Manufacture or Delivery.</td>
<td>Less than 1 gm, State Jail; 1 gm or more but less than 4 gms, 2(^{nd}) degree; 4 gms or more but less than 200 gms, 1(^{st}) degree; 200 gms or more but less than 400 gms, life or 10-99 years and up to $100,000; 400 gms or more, life or 15-99 yrs and up to $250,000.</td>
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<td>481.1121</td>
<td>Manufacture or Delivery.</td>
<td>Less than 20 “abuse units,” State Jail; 20 units but &lt; 80 units, 2(^{nd}) degree felony; 80 units but &lt; 4,000 units, 1(^{st}) degree felony; 4,000 units or more, life or 15-99 yrs and up to $250,000.</td>
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<td>481.113</td>
<td>Manufacture or Delivery.</td>
<td>Less than 1 gm, State Jail; 1 gm or more but less than 4 gms, 2(^{nd}) degree; 4 gms or more but less than 400 gms, 1(^{st}) degree; 400 gms or more, life or 10-99 yrs and up to $100,000.</td>
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<td>481.114</td>
<td>Manufacture or Delivery.</td>
<td>Less than 28 gms, State Jail; 28 gms or more but less than 200 gms, 2(^{nd}) degree; 200 gms or more but less than 400 gms, 1(^{st}) degree; 400 gms or more, life or 10-99 yrs and up to $100,000.</td>
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<td>481.115</td>
<td>Possession Penalty Group 1</td>
<td>Less than 1 gm, State Jail; 1 gm or more but less than 4 gms, 3(^{rd}) degree; 4 gms or more but less than 200 gms, 2(^{nd}) degree; 200 gms or more but less than 400 gms, 1(^{st}) degree; 400 gms or more, life or 10-99 yrs and up to $100,000.</td>
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<td>481.1151</td>
<td>Possession Penalty Group 1-A</td>
<td>Less than 20 “abuse units,” State Jail; 20 units but &lt; 80 units, 3(^{rd}) degree; 80 units but &lt; 4,000 units, 2(^{nd}) degree; 4,000 units or more but less than 8,000 units, 1(^{st}) degree; 8,000 units or more, life or 15-99 years and up to $250,000.</td>
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<td>481.116</td>
<td>Possession Penalty Group 2</td>
<td>Less than 1 gm, State Jail; 1 gm or more but less than 4 gms, 3(^{rd}) degree; 4 gms or more but less than 400 gms, 2(^{nd}) degree; 400 gms or more, life or 5-99 yrs and up to $50,000.</td>
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<td>481.117</td>
<td>Possession Penalty Group 3</td>
<td>Less than 28 gms, Class A; 28 gms or more but less than 200 gms, 3(^{rd}) degree; 200 gms or more but less than 400 gms, 2(^{nd}) degree; 400 gms or more, life or 5-99 yrs and up to $50,000.</td>
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<td>Penalty</td>
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<td>481.118</td>
<td>Possession Penalty Group 4</td>
<td>Less than 28 gms, Class B; 28 gms or more but less than 200 gms, 3rd degree; 200 gms or more but less than 400 gms, 2nd degree; 400 gms or more, life or 5-99 yrs and up to $50,000.</td>
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<td>481.119 (a)</td>
<td>Manufacture or Delivery of Miscellaneous Substances</td>
<td>Class A: manufactures or delivers a controlled substance listed in the schedule but not listed in a penalty group.</td>
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<td>Possession of Miscellaneous Substances</td>
<td>Class B: possesses a controlled substance listed in the schedule but not listed in a penalty group.</td>
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<td>481.120</td>
<td>Delivery of Marijuana</td>
<td>¼ oz or less /no remuneration, Class B; ¼ oz or less /with remuneration, Class A; more than ¼ oz but 5 lbs or less, State Jail; 50 lbs or less but more than 5 lbs, 2nd degree; 2,000 lbs or less but more than 50 lbs, 1st degree; More than 2,000 lbs, life or 10-99 yrs and up to $100,000.</td>
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<tr>
<td>481.121</td>
<td>Possession of Marijuana</td>
<td>2 oz or less, Class B; 4 oz or less but more than 2 oz, Class A; 5 lbs or less but more than 4 oz, State Jail; 50 lbs or less but more than 5 lbs, 3rd degree; 2,000 lbs or less but more than 50 lbs, 2nd degree; more than 2,000 lbs, life or 5-99 yrs and up to $50,000.</td>
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<tr>
<td>481.125</td>
<td>Possession or Delivery of Drug Paraphernalia</td>
<td>Possession of Paraphernalia, Class C; Possess with intent to deliver, or delivers paraphernalia, unless shown previously convicted of section (B) or (C) in which case the offense is punishable by confinement in jail for a term of not more than one year or less than ninety days, Class A; Delivers to a person paraphernalia under 18 yrs, State Jail.</td>
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<tr>
<td>483.052</td>
<td>Violation of other (Dangerous Drug) Provision</td>
<td>Class B; Class A with prior conviction.</td>
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### 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.

1. Educational Resources Programs
• Educational literature and materials on substance abuse, identification and treatment are available free of charge in the offices of Counseling Services, Health and Disability Services and Human Resources.

• On a biannual basis, programs focusing on drug and alcohol abuse education are offered to the university community. The offices of Counseling Services, Health and Disability 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.

2. Consultation and Referrals

• Students are eligible to consult with the counselors in the Office of Counseling Services or the Office of Health and Disability Services about drug and alcohol substance abuse issues and resources.

• Faculty and staff are eligible to consult with the Coordinator of Work/Life Services in the Office of Human Resources about drug and alcohol substance abuse issues and resources.

• Drug and alcohol abuse counseling and rehabilitation program referrals are made as needed to mutual help organizations (such as Alcoholics Anonymous or Alanon), private hospitals, public treatment programs and private practitioners.

• For more information:

<table>
<thead>
<tr>
<th>Counseling Services</th>
<th>Phone: 281.283.2580</th>
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<tr>
<td>Student Services/Classroom Bldg.</td>
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<tr>
<th>Human Resources</th>
<th>Phone: 281.283.2160</th>
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<tr>
<td>Bayou Bldg.</td>
<td>B2537</td>
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<table>
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<tr>
<th>Health and Disability Services</th>
<th>Phone: 281.283.2626</th>
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<tr>
<td>Student Services/Classroom Bldg.</td>
<td>SSCB 1.301</td>
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10.0 Gun Policy

The University of Houston-Clear Lake does not have an official gun policy. However, the laws of the State of Texas apply and are very specific that firearms of any kind are not permitted within
a higher education campus facility with the exception of those carried by peace officers. This restriction is also applicable to concealed handgun licensees.

Texas Penal Code 46.03 states that “A person commits an offense if the person intentionally, knowingly, or recklessly possesses or goes with a firearm, illegal knife, club, or prohibited weapon on the physical premises of a school or educational institution, any grounds or building on which an activity sponsored by a school or educational institution is being conducted, or a passenger transportation vehicle of a school or educational institution, whether the school or educational institution is public or private”.

11.0 Sex Offender Registration

The Wetterling Act of 1994 requires each state to create a specific program to register sex offenders. The Campus Sex Crimes Prevention Act of 2000 amended the Wetterling Act to require sex offenders already required to register in a state to provide notice to each institution of higher education in that state at which the person is employed, carries on a vocation, volunteers, or is a student.

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
- 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 Disciplinary Proceedings**

The following is the University of Houston-Clear Lake Student Discipline Procedures verbatim as approved by University Council on July 8, 1984 and published in the 2014-2015 UHCL Student Life Policy Handbook. The following policy relates to campus disciplinary action only. Campus disciplinary action is taken separately from criminal prosecution for violations of Texas Penal Code. The UHCL Police Department via the county and state criminal justice system handles prosecution for criminal action.

**University of Houston-Clear Lake Student Discipline Procedures**

A. The administration of student discipline is recognized as a vital part of the educational process. The university must exercise this role within the procedures of fair, properly established and legally acceptable due process. The procedures designated herein may be modified by the university in order to affect justice.

B. The Dean of Students is the principal administrator for student discipline arising from violations of the student code of conduct at UHCL. The Dean of Students may designate another hearing officer to act on behalf of the university in these proceedings.

C. Any member of the university community may file charges against a student for misconduct. A written statement should be prepared including the charge, date and time of the alleged violation, witnesses, evidence, and directed to the Dean of Students. Any charge should be submitted as soon as possible after the event takes place.

D. The Dean of Students (or a designee) may conduct an investigation to determine if the charges have merit and may dismiss charges that were without merit. If the charges can be settled by mutual agreement of the parties involved, such agreement shall be binding.

E. Charges shall be presented to the accused student in written form. A student accused of a violation of these policies will be given written notice to appear before the Dean of Students (or a designee).

F. Students who fail to respond when summoned by the Dean of Students (or a designee) may be suspended until such time as the student does appear.

G. Interim Suspension - In certain circumstances, the Dean of Students (or a designee) may impose a university suspension prior to the disciplinary hearing.

1. Interim suspension may be imposed only:
   a. To ensure the safety and well-being of members of the university community or preservation of university property;
   b. To ensure the student's own physical or emotional safety and well-being;
   c. If the student presents a threat to the normal operations of the university.

2. During the interim suspension, students shall be denied access to the campus (including classes) and/or all other university activities or privileges for which the
student might otherwise be eligible.

3. The student shall be granted a hearing in accordance with these policies, within 7 working days of the interim suspension.

H. Hearing Process

1. In response to the summons from the Dean of Students, the student schedules an appointment with the dean or other designated hearing officer within a specified time frame.

2. In this meeting, the student is apprised of the options available to process the complaint and the procedural requirements for exercising these options.
   a. The student may choose to have the designated university hearing officer settle the case. The hearing officer will conduct the investigation and hearing, examine the evidence and question witnesses, and make a determination if a policy has been violated. The hearing officer will decide the university sanctions which will be applied. The student would have the right to appeal the hearing officer's decision to the Student Life Council. The decision of the Student Life Council will be final.
   b. The student may choose to have the Student Life Council serve as a hearing panel. The Dean of Students (or a designee) will convene a hearing with the council where evidence and witnesses will be presented. The council will determine if a policy has been violated and will decide the university sanctions, which will be applied. The student would have the right to appeal the council's decision to the Senior Vice President for Academic Affairs. The decision of the Vice President will be final.

3. Hearings normally shall be conducted in private. Admission of any person to the hearing shall be at the discretion of the Dean of Students (or a designee).

4. Hearings involving more than one accused student may be conducted together or separately, at the discretion of the Dean of Students (or a designee).

5. The complainant and the accused may each be assisted by any adviser they choose, at their own expense. The complainant and/or the accused is responsible for presenting his or her own case and, therefore, advisers, including attorney advisers, are not permitted to speak on behalf of the complainant or the accused, or to participate directly in any hearing.

6. Permanent records, exhibits and written statements may be accepted as evidence and will be provided to the accused and the hearing officer or panel.

7. Each party shall have the right to appear and present evidence in person. The accused, the complainant, the hearing officer or panel will have the right to ask relevant questions of the witnesses.

8. If an accused student fails to appear, the hearing may proceed without the student.

9. All procedural questions are subject to the decision of the Dean of Students (or a designee).

10. In the case of hearings before the Student Life Council, the council will determine
by majority vote whether the student has violated the policy(ies) in question.

11. The decision of the hearing officer or panel shall be made on the basis of the preponderance of evidence.

I. Appeals

1. Appeals shall be submitted in writing and reviewed on the basis of the records of previous deliberations.

2. Appeals must be submitted within ten working days after the receipt of the official notification of the decision of the preceding body/official.

3. Appeals shall be reviewed for one or more of the following purposes:
   a. To determine whether the original hearing was conducted fairly in light of the charges and evidence presented and in conformity with prescribed procedures.
   b. To determine whether the decision reached regarding the accused student was based on substantial evidence. That is, whether the facts in the case were sufficient to establish that a violation of Student Life Policies occurred.
   c. To determine whether the sanction(s) imposed were appropriate for the violation of the policy, which the student was found to have committed.

4. In cases involving appeals by the student accused of violating Student Life Policies, review of the sanction on appeal may not result in more severe sanctions(s) for appellate body/person may reduce sanctions imposed.

J. The following sanctions may be imposed separately or in combination, when a student is found to have violated the student code.

1. Warning - A notice in writing to a student who has violated a university policy and whose continuation of such conduct may result in further disciplinary action.

2. Restricted privileges - Denial or restriction of one or more privileges granted to students including, but not limited to, participation in extracurricular activities, holding an office in a student organization or representing the university in any official capacity.

3. Restitution - Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.

4. Discretionary sanctions - Work assignments, service to the university, educational programs or other related discretionary assignments.

5. Disciplinary probation - Written warning that a student's continued enrollment is conditioned upon adherence to published university policies, usually for a specified period of time.

6. Withholding transcripts - Prohibits a student from receiving or the Registrar from issuing official transcripts.

7. Suspension - Separation of the student from the university for a definite period of time, after which the student is eligible to return. Conditions for re admission may be specified. When suspended, a student may not attend class or participate in
any university activity.

8. Expulsion - Permanent separation of the student from the university.

K. In the case of suspension (Sec. J., No.7), the entry "Disciplinary Suspension" with the specified dates will be posted on the student's transcript. At the request of the student, such entries will be removed at the conclusion of the specified suspension period. In the case of expulsion (Sec. J., No.8), the entry "Disciplinary Expulsion" will be noted permanently on the transcript. No other disciplinary actions will be noted on the student's transcript.

L. The following sanctions may be imposed upon groups or organizations:
   1. Those listed in Section J, 1 through 5.
   2. Deactivation or loss of privileges, including university recognition, for a specified period of time.

13.0 Emergency Response, Evacuation Procedures and Emergency Communications

The UHCL Police Department in conjunction with UHCL Facilities Management and Construction 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 management 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 drills and exercises to assure the plan is operating at the highest efficiency. 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 PIER (Pubic Information Emergency Response), 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 PIER System as well. Employees and students can confirm their information or opt out of the program by visiting www.uhclemergency.info and following the appropriate links. Opting out of the system is not recommended.

UHCL uses PIER 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 \textbf{CODE GREEN}. 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 PIER 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.

14.0 Sexual Assault Policy

The following is the University of Houston System Sexual Misconduct Policy as approved verbatim by the System Chancellor on November 29, 2012 and published in the 2014-2015 UHCL Student Life Policy Handbook:

\begin{center}
\textbf{UNIVERSITY OF HOUSTON SYSTEM}
\end{center}

\begin{tabular}{ll}
\textbf{SECTION:} & General Administration \hspace{5cm} \textbf{NUMBER:} 01.D.08 \\
\textbf{AREA:} & Legal Affairs \\
\textbf{SUBJECT:} & Sexual Misconduct Policy (Interim 2) \\
\end{tabular}

1. PURPOSE

1.1. The University of Houston System and its component institutions (“University”) are 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 happening, prevent its recurrence and address its effects.

1.2. The University aims to eradicate Sexual Misconduct through education, training, clear 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. This
Sexual Misconduct Policy ("Policy") defines and describes Prohibited sexual conduct and establishes a procedural mechanism for processing complaints of Sexual Misconduct. (Please see the University’s Discrimination and Harassment Policy, SAM 01.D.07, to find the procedural recourse for responding to unlawful discrimination and harassment incidents that do not constitute Sexual Misconduct.)

1.3. 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, and Title VII of the Civil Rights Act of 1964 ("Title VII"), which prohibits sex discrimination in employment. Sexual Misconduct, as defined in this Policy, constitutes a form of sex discrimination prohibited by Title IX and Title VII.

1.4. All members of the University 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 and 9 for reporting procedures). The University will take seriously allegations of Sexual Misconduct by conducting an investigation, and the University will work to ensure that all persons are given appropriate support and fair treatment.

1.5. This Policy provides the exclusive mechanism for handling the non-criminal investigation of any alleged Sexual Misconduct, the determination of whether this Policy was violated, and the appeal of Equal Opportunity Services’ (EOS’) finding as to violation/no violation of this Policy. The proceedings under this Policy shall provide a prompt, fair, and impartial investigation and resolution.

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 11 of this Policy.

2.2. Respondent – A party who has been accused of committing an act of Sexual Misconduct by a Complainant.

2.3. Sexual Activity – Intercourse, however slight, meaning vaginal penetration by penis, object, tongue or finger, anal penetration by a penis, object, tongue or finger, and oral copulation (mouth to genital contact or genital to mouth contact). Sexual activity also includes any intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch the Complainant or themselves with or on any of these body parts; and any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice.
2.4. Student – Any person who has been accepted for admission or who is currently or was previously enrolled in the University pursuing undergraduate, graduate or professional studies, whether full-time or part-time, and a person who is registered for a future semester.

2.5. Title IX Coordinator – The person who has been designated on each component institution 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 component institution campus are:

- University of Houston System/University of Houston Assistant VC/VP for Equal Opportunity Services or Richard Anthony Baker, M.P.A., Ph.D., J.D. Equal Opportunity Services
  (713) 743-8835; rabaker4@uh.edu

- University of Houston – Downtown Assistant VP for Employment, Training, Campus Relations and Affirmative Action Officer or Douglas J. TeDuits, Ed D, SPHR Employment Services and Operations
  (713) 222-5366; TeDuitsD@uhd.edu

- University of Houston – Clear Lake Executive Director, Human Resources and Affirmative Action or Karen Edwards, Human Resources and Affirmative Action
  (281) 283-2164; Edwardska@uhcl.edu

- University of Houston – Victoria Director, Human Resources/Affirmative Action or Laura Smith, Human Resources/Affirmative Action
  (361) 570-4800; SmithL@uhv.edu

2.6. 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.

2.7. University Premises – Buildings or grounds owned, leased, operated, controlled or supervised by the University.
3. DEFINITION OF SEXUAL MISCONDUCT

“Sexual Misconduct” is a broad term encompassing a range of non-consensual sexual activity or unwelcome behavior of a sexual nature. The term includes sexual assault, sexual exploitation, sexual intimidation, sexual harassment, domestic violence, dating violence and stalking as further described in Section 6. Sexual Misconduct can be committed by men or women, strangers or acquaintances, and can occur between people of the same or opposite sex. This Policy applies regardless of the complainant’s or the respondent’s sex, sexual orientation, gender identity or gender expression. An attempt to engage in conduct that constitutes Sexual Misconduct under this Policy may be treated itself as an act of Sexual Misconduct.

4. JURISDICTION

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 alleged perpetrator and victim are a student, faculty, or staff. A Sexual Misconduct complaint rising to the level of a potential criminal violation may be considered separately under this Policy and in the criminal justice system. Proceedings under this Policy will not be dismissed or delayed because criminal prosecution is pending, charges have been dismissed, or the charges have been reduced. Proceedings may also continue if a party is no longer employed with or a student of the University. Additionally, the University has the discretion to investigate conduct off University premises pursuant to Section 13.3.

5. CONSENT

5.1. For purposes of this Policy, consent is an informed and freely and affirmatively communicated willingness to participate in a particular sexual activity. 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. It is the responsibility of the person who wants to engage in the sexual activity to ensure that s/he has the consent of the other to engage in each instance of sexual activity. The definition of consent for the crime of sexual assault in Texas can be found at http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.22.htm -22.011.

5.2. Consent is active, not passive, and cannot be inferred from the absence of a “no.” Therefore, silence or lack of protest or resistance, without actions demonstrating permission, cannot be assumed to show consent. 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. 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.

5.3. 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. Importantly, at any time, a participant can communicate that s/he no longer consents to continuing the sexual activity. If there is confusion as to whether an individual has consented or continues to consent to sexual activity, it is essential that the participants stop the sexual activity until the confusion is clearly resolved.

5.4. In determining whether a person gave consent, various factors are relevant. However, there is no consent when physical force or violence is used or threatened, where a person is unconscious or otherwise unable to resist, where the person is unaware that a sexual assault is occurring, or where the person does not have the legal capacity to consent. Further, a person may be unable to consent when the person is mentally or physically incapacitated due to the influence of drugs, alcohol, or medication and as a result is rendered temporarily incapable of understanding, appraising or controlling his or her conduct. A person’s incapacity to understand, appraise or control her or his conduct may be analyzed based on surrounding factors including, but not limited to, hallucinations, seizures, vomiting, slurred speech, disorientation, incoordination and other relevant factors.

6. FORMS OF SEXUAL MISCONDUCT

6.1. Sexual Assault

For purposes of this Policy, sexual assault is any form of non-consensual sexual activity. Sexual assault represents a continuum of conduct from forcible rape to non-physical forms of pressure that compel individuals to engage in sexual activity against their will. The definition of sexual assault in Texas can be found at http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.22.htm.

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

A. Sexual intercourse (vaginal or anal)
B. Oral sex
C. Rape or attempted rape
D. Penetration of an orifice (anal, vaginal, oral) with the penis, finger or other object
E. Unwanted touching of a sexual nature
F. Use of coercion, manipulation or force to make someone else engage in sexual touching, including breasts, chest and buttocks
G. Engaging in sexual activity with a person who is unable to provide consent
H. Knowingly transmitting a sexually-transmitted disease to another.
6.2. Sexual Exploitation

Sexual exploitation occurs when a party takes non-consensual or abusive sexual advantage of another for his/her 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 electronically recording, photographing or transmitting intimate or sexual utterances, sounds or images without the knowledge and consent of all parties involved
C. Voyeurism (spying on others who are in intimate or sexual situations)
D. Going beyond the boundaries of consent (such as letting friends hide in the closet to watch another friend having consensual sex)
E. Distributing intimate or sexual information about another person without that person’s consent

6.3. Sexual Intimidation

Sexual intimidation involves:

A. Threatening another with a non-consensual sex act
B. Stalking or cyber-stalking
C. Engaging in indecent exposure.

6.4. 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 is not limited to:

1) Pressuring another to engage in sexual behavior for some educational or employment benefit
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 is 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
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.

6.5. Domestic (Family) Violence

For purposes of this Policy, domestic violence includes 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 the State of Texas, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the State of Texas.

6.6. Dating Violence

For purposes of this Policy, dating violence is violence committed by a person:

A. Who is or has been in a social relationship of a romantic or intimate nature with the victim
B. Where the existence of such a relationship shall be determined based on a consideration of the following factors:

1) The length of the relationship
2) The type of relationship
3) The frequency of interaction between the persons involved in the relationship

6.7. Stalking

For purposes of this Policy, stalking means engaging in a course of conduct directed at a
specific person that would cause a reasonable person to
A. Fear for his or her safety or the safety of others
B. Suffer substantial emotional distress.

7. USE OF ALCOHOL OR OTHER DRUGS

Alcohol or other drugs can lower inhibitions and create an atmosphere of confusion over whether consent is freely and effectively given. The perspective of a reasonable person will be the basis for determining whether one knew or should have known about the impact of the use of alcohol or drugs on another’s ability to give consent. Being intoxicated or high is never an excuse for engaging in Sexual Misconduct.

8. 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 sexually 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
N. Know where a phone is located.

*Bystander Intervention*
One of the most effective methods of preventing sexual assault is bystander intervention, which encourages people to identify situations that might lead to Sexual Misconduct and then safely intervene to prevent misconduct from occurring. Recognizing when to intervene. 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 and events 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.

*Responsibility to Intervene*
The University deems that it is every person’s responsibility to take safe and reasonable actions to prevent Sexual Misconduct. Ways to intervene:

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

Understanding how to safely implement the choice. Safety is paramount in bystander intervention. Usually, intervening in a group is safer than intervening individually. Also, choosing a method of intervention that de-escalates the situation is safer than attempting a confrontation. However, there is no single rule that can account for every situation. Please use good judgment and always put safety first.

9. **ANONYMOUS AND CONFIDENTIAL REPORTING**

9.1. When considering reporting options, victims should be aware that certain University personnel can maintain strict confidentiality, while others have mandatory reporting and response obligations. University personnel who receive a report of Sexual Misconduct may be required to share the information with appropriate administrative
authorities for investigation and follow up. The University will protect the confidentiality of an alleged victim by refusing to disclose the alleged victim’s information to anyone outside the University to the maximum extent permitted by law. As for confidentiality of information within the University, the University must balance a victim’s request for confidentiality with its responsibility to provide a safe and non-discriminatory environment for the University community. Where the University cannot take disciplinary action against an alleged discriminator or harasser because of a complainant’s insistence of confidentiality, the University will pursue other steps to limit the effects of the alleged Sexual Misconduct and attempt to prevent its recurrence.

9.2. Each component institution has on-campus personnel who can maintain strict confidentiality. Campus crisis counselors can assist in a crisis situation and provide information about options including medical assistance, psychological counseling, victim advocacy resources, legal resources, University disciplinary action, and criminal prosecution. The crisis counselors can provide safe and confidential support, explain common reactions to crises, and discuss coping methods that may assist immediately following the assault and later. Talking about concerns may help the victim sort through feelings and decide what to do. Victims need not reveal their names if calling for information. Crisis counselors will not reveal the victim’s identity to anyone without the victim’s permission except under very limited exceptions (e.g., if an immediate threat to the victim or others is present, or if the victim is a minor). To obtain contact information for victim advocacy groups as well as counseling, health, mental health, legal assistance, and other services available to victims, please contact the appropriate Title IX Coordinator listed in Section 2.5.

9.3. In addition, a victim (or any individual who has information about an incident of alleged Sexual Misconduct) may submit a report through a secure web-based reporting system called MySafeCampus, which allows the option of anonymity. The web address for MySafeCampus is http://www.mysafecampus.com. However, the reporter should know that, during the course of an investigation, his or her identity may be discovered. If that occurs, the reporter will receive the same confidentiality safeguards offered to those who make a formal report under this policy.

10. FORMAL REPORTING

10.1. Although the victim of Sexual Misconduct may decline to report the incident, the University supports, encourages and will assist anyone who believes they have been the victim of Sexual Misconduct to report the incident to the reporting source of their choice, which can include, but is not limited to, any entity or individual listed in Section 2.5 above and/or in subsections A through E of this Section 10. Prompt reporting may preserve options that delayed reporting does not, including the preservation of physical evidence (which may be necessary to the proof of Sexual
Misconduct or in obtaining an order of protection), the support of crisis counseling, and immediate police response. Regardless, whenever a student, faculty, staff or visitor alerts the University that she or he has been the victim of Sexual Misconduct, she or he will be provided a copy of or link to this Policy, which fully explains her or his rights and options.

10.2. Formal reporting as described in this section cannot provide complete anonymity, but the only persons who will be provided information relating to the report are those persons that need to know, unless additional disclosure is required by law. The University will make all reasonable efforts to maintain the confidentiality and privacy of parties involved in Sexual Misconduct investigations. Breaches of confidentiality or privacy committed by anyone involved in any investigation of alleged Sexual Misconduct, including the complainant, the accused, witnesses or the investigators, may be considered a separate violation of this Policy and may result in disciplinary sanctions.

10.3. When an incident of Sexual Misconduct is formally reported, the University will consider interim accommodations to protect the alleged victim while the incident is investigated and adjudicated through this Policy. The Title IX Coordinator and other appropriate University administrators will work together to identify alternative arrangements that will preserve the rights of both the alleged victim and the accused, as well as provide a safe overall educational or working environment until (and perhaps after) the report is investigated and any appropriate action is taken. A lawfully issued no contact, restraining order, or order of protection, will be adhered to by the University to the fullest extent permitted by law and while still maintaining a safe and non-discriminator environment at the University. Interim accommodations may include changing academic, living, transportation or working situations. Failure to adhere to the parameters of any interim accommodation may be considered a separate violation of this Policy and may result in disciplinary sanctions. In addition, 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.

10.4. As mentioned above, an individual may report an incident of Sexual Misconduct by various means, including reporting to appropriate local law enforcement agencies. Any University person receiving a report of Sexual Misconduct must promptly contact the Title IX Coordinator to discuss the report. In addition, there are specific University offices and individuals prepared to respond to incidents of Sexual Misconduct:

A. University Police. Reporting to the police helps protect others from future victimization, apprehend the alleged assailant and maintain future options regarding criminal prosecution, University disciplinary action and/or civil action against the alleged wrongdoer. When the victim reports the incident, a police officer will take a statement from the victim regarding what happened. A victim can
request that his or her identity be kept confidential. Remember, reporting an incident is separate from choosing to prosecute. When a police report is filed, the victim is not obligated to continue with criminal proceedings or University disciplinary action. A victim of Sexual Misconduct can make a report to their component institution’s Police Department as noted below:

- University of Houston Main 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/campus/pd/
  713-221-8911

- UH - Victoria Campus
  http://www.uhv.edu/handbook/campussafety.aspx
  361-570-4245

- UH System at Cinco Ranch
  Security officers are assigned to UHS at Cinco Ranch. Should anyone need assistance concerning an escort, safety or security matter, contact the security officer on duty by calling 832-842-2877. If the security officer is not available during an EMERGENCY situation, dial 911.

- UH at Sugar Land
  Security officer 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 281-275-3302. If the security officer is not available during an EMERGENCY situation, dial 911.

B. Title IX Coordinator. Any incident of Sexual Misconduct can be brought to the attention of the Title IX Coordinator (See Section 2.5 for the contact information for each Title IX Coordinator). The Title IX Coordinator will promptly inform the University of Houston System’s Office of Equal Opportunity Services (EOS) and EOS will begin its review process in consultation with the Title IX Coordinator. Although the University strongly encourages reporting Sexual Misconduct to the police, a victim may request administrative action by EOS with or without the filing of a police report. The administrative review process for Sexual Misconduct complaints utilizes a team approach, with EOS serving as fact finder/investigator and the
appropriate University administrator consulting on and implementing the proposed sanctions, if any.

C. Campus Security Authority. A complaint of Sexual Misconduct can be brought to a Campus Security Authority (CSA), who is a person that has significant responsibility for students and campus activities. The CSA will promptly inform the Title IX Coordinator and/or EOS of the complaint, and EOS will begin its review process.

D. Dean of Students Office. A complaint of Sexual Misconduct involving a student can be brought to the Dean of Students Office, or its equivalent. The Dean of Students Office (or its equivalent) will promptly inform the Title IX Coordinator and/or EOS of the complaint and EOS will begin its review process.

E. Human Resources. A complaint of Sexual Misconduct involving a staff person can be brought to the Human Resources Department. The Human Resources Department will promptly inform the Title IX Coordinator and/or EOS of the complaint, and EOS will begin its review process.

11. RETALIATION

The University takes reports of Sexual Misconduct very seriously and will not tolerate retaliation against those who make such reports or participate in the investigatory or adjudicatory process. 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. Any actual or threatened retaliation, or any act of intimidation to prevent or otherwise obstruct the reporting of Sexual Misconduct or the participation in proceedings relating to Sexual Misconduct, may be considered a separate violation of this Policy and may result in disciplinary sanctions. Any person who believes that they have been subjected to retaliation should immediately report this concern to their Title IX Coordinator.

12. SEXUAL MISCONDUCT COMPLAINT PROCEDURES

12.1. Step One: Filing a Complaint

If the victim wishes to pursue a Sexual Misconduct complaint, s/he will be asked to complete a Formal Complaint Questionnaire with their Title IX Coordinator, who will forward the Complaint Questionnaire to EOS. 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. Once a complaint is filed, if the Complainant decides that s/he wants to withdraw the complaint, the University’s investigation may still proceed.
12.2. Step Two: Consideration of Interim Accommodations

Although interim accommodations may have already been considered and made, EOS will consider interim accommodations at this step to protect the Complainant while the incident is investigated and adjudicated through this Policy. EOS and other appropriate University administrators will work together to identify alternative arrangements that will preserve the rights of both the complainant and the accused, as well as provide a safe overall educational or working environment until (and perhaps after) the complaint is investigated and adjudicated. Interim accommodations may include changing academic, living, transportation or working situations. Failure to adhere to the parameters of any interim measure may be considered a separate violation of this Policy and may result in disciplinary sanctions.

12.3. Step Three: EOS Investigation

EOS will begin an investigation upon its receipt of a complaint or other notice of alleged Sexual Misconduct. EOS will attempt to interview the Complainant, the Respondent and any witnesses, as appropriate. EOS will also gather and review any information it deems pertinent, as well as any information submitted by the Complainant, the Respondent and/or any witnesses. The EOS investigators will receive training at least annually on the issues related to Sexual Misconduct, and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

12.4. Step Four: Response to a Complaint

Within five business days after receiving a complaint, EOS will contact the Respondent to obtain the Respondent’s response. The response is due to EOS within 10 business days from the Respondent’s receipt of the Complaint. The response should address and respond to the specific allegations made in the Complaint and can include any other rebuttal information. Failure to respond may be considered a separate violation of this Policy and may result in disciplinary action.

12.5. Step Five: EOS Finding

EOS will issue a finding as soon as practicable and make every effort to issue its finding within 60 business days from its receipt of the complaint. The finding will be determined by a preponderance of the evidence; that is, whether it is more likely than not that the Respondent violated this Policy. If EOS determines that this Policy was violated, EOS will recommend appropriate university action in an effort to eliminate Sexual Misconduct from happening, prevent its recurrence and address its effects. Even if EOS determines that this Policy was not violated, EOS may
recommend that the Respondent undertake educational initiatives and/or trainings. EOS will simultaneously notify the Complainant and the Respondent in writing of the outcome of its finding and any appeal rights under this Policy, to the extent permissible by law. EOS will notify the appropriate university administrator of any recommended university action.

12.6. Step Six: Sanctions

12.6.1. If EOS finds a violation of this Policy against a faculty member, EOS will recommend appropriate university action, and any sanction imposed on the faculty member will be determined by and implemented by the appropriate administrator after consultation with EOS and consistent with the component institution’s faculty handbook/manual.

12.6.2. If EOS finds a violation of this Policy against a non-faculty university employee, EOS will recommend appropriate university action, and any sanction imposed on the employee will be determined by and implemented by the appropriate administrator after consultation with EOS and consistent with the component institution’s policies and procedures related to employee discipline.

12.6.3. If EOS finds a violation of this Policy against a student, EOS will recommend appropriate university action, and any sanction imposed on the student will be determined by and imposed by the Dean of Student’s Office or its equivalent after consultation with EOS and consistent with the component institution’s policies and procedures related to student conduct/discipline.

12.6.4. The sanctions for committing an act of Sexual Misconduct will be commensurate to the offense and may include discipline up to and including probation, suspension, expulsion and/or termination of employment.

12.7. Step Seven: Appeal

12.7.1. If the Complainant or the Respondent is dissatisfied with EOS’ finding, the party can appeal to the component institution’s appellate board (“Board”). Members of the Board will receive training at least annually on the issues related to Sexual Misconduct, and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. An appeal must be filed with the Title IX Coordinator within 10 business days of receiving EOS’ finding. Absent extenuating circumstances, the Title IX Coordinator will schedule a hearing to be held within 30 business days from the filing of the appeal. Written requests for rescheduling the hearing will be considered by the Board’s chairperson in
consultation with the Title IX Coordinator. No later than five business days prior to the hearing, all materials that will be used at the hearing must be submitted to the Title IX Coordinator, who will forward the materials to the Board’s chairperson and will simultaneously provide to the other party. The materials must include the names of any witnesses intended to be called during the hearing (along with a brief summary concerning the subject matter of the witness’ expected testimony), and the name of any advisor to be in attendance at the hearing (and whether that advisor is an attorney). No witness, document/tangible evidence, or advisor will be permitted at the hearing unless such information was timely submitted.

12.7.2. Appeals/Grievances relating to sanctions assessed by the appropriate administrators are not considered under this Policy. Therefore, if the Complainant or the Respondent is dissatisfied with any sanction determined by the appropriate administrator, he/she may appeal the sanction as follows: any challenge to the sanction against a faculty member must be addressed through the component institution’s faculty handbook/manual; any challenge to the sanction against an employee must be addressed through the component institution’s policies and procedures related to employee grievances; any challenge to the sanction against a student must be addressed through the appeal process in the component institution’s student code of conduct or its equivalent.

12.8. Step Eight: Designation of Hearing Panel
The hearing will be conducted by a Hearing Panel (“Panel”), which is charged with upholding or rejecting EOS’ finding based on the preponderance of the evidence. The Board’s chairperson is responsible for selecting the Panel members from available Board members. The Panel will be comprised of three board members. The Board’s chairperson will select the Panel’s chairperson. The appellant and the appellee shall be notified of the Panel’s composition. Within five business days of such notification, the appellant and the appellee shall have an opportunity to challenge in writing any Panel member for cause. The Board’s chairperson, in consultation with the Title IX Coordinator, will consider any challenge and replace the Panel member if appropriate.

12.9. Step Nine: Hearing

12.9.1. The general course of the hearing procedure will be as follows, subject to the discretion of the Panel chairperson:

a) The Panel chairperson will convene the hearing, introduce the individuals, give a brief description of the process and invite questions about the process and allow the appellant and appellee the
opportunity to present a brief opening statement
b) The appellant shall present his or her evidence (including calling and questioning his or her own witnesses) to the Panel
c) The appellee shall present his or her evidence (including calling and questioning his or her own witnesses) to the Panel
d) An investigative summary will be presented to the Panel by EOS.

12.9.2. The Panel chairperson and/or Panel may question any individual at any time during the hearing.

12.9.3. The Panel chairperson may impose reasonable time limits on any stage of the hearing. The Panel chairperson may also determine the relevance of, and place restrictions on, any witness or information presented.

12.9.4. The appellant and the appellee may question their own witness and the EOS representative but not the opposing party’s witnesses. However, the appellant and appellee may request that the Panel chairperson ask questions of the other witnesses. Both parties may request that the Panel Chair ask questions of the other witnesses by submitting proposed questions to the Panel chairperson in writing either prior to, or during, the hearing. The Panel chairperson may determine which questions are relevant, and the Panel chairperson has the discretion to revise a question or to decline asking the question.

12.9.5. An audio recording of the hearing will be kept for the use of the Panel and for any appeal.

12.9.6. In cases where an appellant or an appellee refuses to participate in the hearing, the Panel will convene and make a decision based on the evidence and testimony available to the Panel. Any party who declines to participate in a hearing waives any additional right to appeal.

12.9.7. Because the hearing process is an internal University process and not a formal courtroom process in which rules of evidence and courtroom procedures apply, this procedure is intended to reduce the adversarial nature of the hearing and will be conducted accordingly. The appellant and the appellee may bring an advisor. Advisors may attend the hearing and sit with their respective advisee during the hearing, communicate quietly orally and/or in writing with their respective advisee during the hearing and may respond to a direct question from the Panel. However, 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 during the hearing.
12.9.8. Alternative testimony options will be available if determined by the Title IX Coordinator or the Panel to be necessary, such as placing a privacy screen in the hearing room, or allowing an alleged victim to testify from another room via closed circuit. Although such options are intended to help make the alleged victim more comfortable, they are not intended to work to the disadvantage of the Respondent.

12.10. Step Ten: Panel Decision

After the hearing has concluded, the Panel will deliberate in private. The Panel will uphold or reject EOS' finding based on the preponderance of the evidence. The Panel’s decision will be by majority vote. The Panel will communicate its decision in writing to the Title IX Coordinator within three business days of the hearing. The Title IX Coordinator will then provide a copy of the decision to the appellant, the appellee, and EOS.

12.11. Step Eleven: Final Appeal to Appropriate Administrator

If the Panel upholds EOS’ finding, the appellant may appeal the Panel’s decision to the appropriate administrator. Conversely, if the Panel rejects EOS’ finding, the appellee and/or EOS may appeal the Panel’s decision to the appropriate administrator. Any appeal must be filed in writing within 10 business days of the Panel’s decision. The administrator will render a decision within 10 business days from the date that the appeal is filed.

13. SPECIAL PROVISIONS

13.1. Violations. Any act that falls within the definition of Sexual Misconduct constitutes a violation of this Policy.

13.2. University as Complainant. The University reserves the right to initiate a complaint, to serve as a Complainant, or to initiate proceedings under this Policy without a formal complaint by the victim of Sexual Misconduct.

13.3. Off campus conduct. If an individual believes he or she has been subject to Sexual Misconduct off University premises at a non-University affiliated activity, the individual may file a complaint under this Policy. When a faculty, staff, or student is alleged to have engaged in Sexual Misconduct off University premises, the University reserves the right to investigate and adjudicate under this Policy.

13.4. Immunity for Victims. The University encourages the reporting of Sexual Misconduct. Sometimes victims and/or witnesses are hesitant to report because they fear that
they themselves may be charged with policy violations, such as underage drinking at the time of the incident. It is in the best interest of the University to report incidents of Sexual Misconduct. To encourage reporting, the University follows a policy of offering victims and witnesses of Sexual Misconduct amnesty from being charged with alcohol or drug-related University policy violations if they had been using drugs or alcohol at or near the time of the Sexual Misconduct incident.

13.5. Notification of Outcomes. The Title IX Coordinator and/or EOS will simultaneously notify the Complainant and the Respondent (or appellant and appellee) in writing of the outcome of any disciplinary proceeding, the procedures to appeal the results of the disciplinary proceeding, any change to the results that occurs prior to the time that such results become final and when such results become final. The disclosure of the outcome of the disciplinary proceeding shall include only the name of the accused, the violation alleged, and whether any institutional rules or code sections were violated, essential findings supporting such result, and any sanction imposed including description of disciplinary action, date of imposition of such action, and the duration of such action.

14. REVIEW AND RESPONSIBILITY

Responsible Party: Vice Chancellor for Legal Affairs and General Counsel
Review: Every three years on or before August 31

15. APPROVAL

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

Date: August 7, 2013

14.1  Sexual Assault Survivor Guidelines

*Rape Crisis Centers*

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

Bay Area Turning Point: 281-338-7600
The Bridge: 713-473-2801
Bay Area Women’s Center: 281-422-2292
Houston Area Women’s Center: 713-528-RAPE (7273) (Rape Crisis Hotline) or 713-528-2121 (Family Violence)
14.2 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.

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 Assault 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.
15.0 Annual Fire Safety Report

The University of Houston-Clear Lake advocates for fire safety. The university includes six classroom, service and administration buildings, one office building, one maintenance building and one apartment complex.

The apartment complex, known as University Forest Apartments (UFA), is a gated student and staff only housing community with 136 units operated by Campus Living Villages Inc. The University Forest Apartment complex 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 University Forest Apartments 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.

15.1 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:
   a. 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
   b. 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. 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.
15.2 Fire Statistics

<table>
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<th>On Campus Housing</th>
<th>Fires Reported</th>
<th>Cause</th>
<th>How many injured</th>
<th>Death</th>
<th>Property Damage &amp; Value</th>
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<tr>
<td>Apartments</td>
<td></td>
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15.3 Fire Safety Systems

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) are in each individual apartment unit.

15.4 Emergency Evacuation Drills

Annually, the University Forest Apartments conducts a fire evacuation drill in December.

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

The following policies are in effect at University Forest Apartments, 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 and incense 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.
15.6 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 of your location and type of assistance needed.

Emergency Evacuation at University Forest Apartments
- Remain alert, but calm.
- If safe to do so, leave your apartment immediately and shut the door.
- Go to the parking lot area furthest away from the danger zone.
- Call UHCL Police at 281-283-2222 to report the fire.
- If safe to do so, activate an emergency alarm pull station box (Buildings 4, 5, 7, 9, 10) to notify other residents that there is a fire.

15.7 Fire Safety Education & Safety Programs

Inspections
The University Forest Apartment management performs 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 determined 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: http://prtl.uhcl.edu/portal/page/portal/RSK/Safety/Fire%20Safety
Fire Extinguisher Training
Fire extinguisher training is offered several times a year, in person, online, and by request through the UHCL Risk Management Department at 281-283-2106.

15.8 Reporting a Fire
All fire emergencies should be reported to University Police by calling 281-283-2222, or 911.

15.9 Future Improvements in Fire Safety
The University of Houston-Clear Lake's Risk Management Department has plans to begin a fire warden program at the UFA. 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.

15.10 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 and the University of Houston - Clear Lake's Office of Risk Management.

15.11 Additional Fire Safety Information
For additional fire safety information, visit the Risk Management Fire Safety website: http://prtl.uhcl.edu/portal/page/portal/RSK/Safety/Fire%20Safety

16.0 Missing Student Notification
Any university organization, employee, instructor or student who suspects a student is missing, is required to contact the UHCL Police Department at 281-283-2222 immediately upon determining the student is missing.

While 24 hours is the commonly accepted waiting period for an adult suspected of being missing, UHCL and the UHCL Police does not subscribe that there is a minimum time that a person must be missing before they can be reported. A person may be declared missing when his or her whereabouts are unknown and unexplainable for a period of time that is regarded by knowledgeable persons as highly unusual or suspicious.

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. Students reported missing to the UHCL Police will also be reported to the UHCL Dean of Students for proper institutional and next of kin notification.

The university holds each student’s contact information confidential. At the time of admissions, students are given an option to include next of kin. If the student has been determined missing by the UHCL Police, the university shall notify the next of kin of that determination. If the student is under 18 and not an emancipated minor, supplying next of kin information is mandatory at the time of admission.

17.0 Important Phone Numbers

Emergency
911 (off campus, or cell phone); 9-911 (on campus phone)

University of Houston-Clear Lake Police Department
281-283-2222

Emergency Information Hotline (School Closure Hotline)
281-283-2221

University Information (Operator)
281-283-7600

University Health Center
281-283-2626

University CARE Line (Student Behavioral Concerns)
281-283-2273

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 Paul S. Willingham via phone: 281-283-2222 or email: policechief@uhcl.edu.