



2010 Annual Security and Fire Safety Report

The report is available on line at:

<http://www.uhd.edu/campus/pd/documents/2010AnnualSecurityandFireReport.pdf>

On behalf of the University Police Department, I would like to express our commitment to assuring your safety and security at the University of Houston Downtown. The UHD Police Department provides comprehensive police services 24 hours a day, seven days a week. Our offices are located on the first floor, Suite 118-North of the One Main Building. All police officers are licensed by the Texas Commission on Law Enforcement Officer Standards and Education. Police officers enforce federal, state and local laws in addition to penal provisions to the Texas Education Code as well as University regulations. Our goal is to work with students, faculty and staff to ensure a safe and secure learning and working environment. Our success depends on your involvement and we encourage your suggestions, comments and concerns which can be submitted by accessing the **Contact Us** link on our *Welcome* page at www.uhd.edu/campus/pd/.

The University Police Department is committed to effective response.

Please call on us for assistance or information.

Richard D. Boyle,
Chief of Police

Reporting Crimes

UHD Police encourage immediate reporting of suspicious activity or criminal actions to the UHD Police Department. It is the responsibility of UHD Police to document and investigate this activity 24 hours a day. The UHD Police Department works with all local, state and federal law enforcement agencies to coordinate enforcement efforts if suspicious activity occurs outside its primary enforcement area. The department's goal is quick and complete response to suspicious or criminal activity. The University Police Department is located in Suite 118-North of the One Main Building.

All **on-campus crimes** should be reported to the University of Houston-Downtown Police or any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property); 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.

All **off-campus crimes** should be reported to the Houston Police Department at (713) 884-3131 and/or Harris County Sheriff's Office at (713) 755-5300.

Policy regarding confidential reporting of crimes

Because of the requirements of Texas' public records laws, reports of crime received by the UHD Police are public record, therefore, confidentiality cannot be guaranteed.

Important Telephone Numbers, Contacts and Resources

To report an emergency or crime in progress (on-campus)

(713) 221-8911

911*

For other police assistance (on-campus)

(713) 221-8065

To report an emergency or crime in progress (off-campus)

911*

* 911 calls involving university property are routed through the Greater Harris County 911 District to the UH-Downtown Police Department. UHD Police now have the ability to listen to the actual 911 call thereby offering a quicker response.

UHD Office of Risk Management- (713) 221-8040

UHD Health Services- (713) 221-8137

Houston Police Department- (713) 884-3131

Harris County Sheriff- (713) 755-5300

AIDS Hotline- (713) 524-AIDS

Covenant House- (713) 523-2231

Crisis Hotline- (713) 228-1505

Houston Area's Women's Center (WIRES)- 713-528-2121

MHMRA Crisis Clinic- (713) 997-7070

Houston Rape Crisis- (713) 528-RAPE

Houston Council on Alcoholism & Drug Abuse- (713) 942-4100

Police Officer Jurisdiction

The Texas Education Code defines the UH-Downtown Police Department's primary jurisdiction as all counties in which property is owned, leased, rented or otherwise under the control of the University of Houston System Board of Regents and also includes streets contiguous to and running through the campus. Within a peace officer's primary jurisdiction, a peace officer commissioned under this section; is vested with all the powers, privileges, and immunities of peace officers; may, in accordance with Chapter 14, Code of Criminal Procedure, arrest without a warrant any person who violates a law of the state; and may enforce all traffic laws on streets and highways.

Working relationship with other law enforcement agencies

The UHD Police Department maintains a close working relationship with the Houston Police Department, Metro Police Department and other local law enforcement agencies we occasionally work with. Officers of the UHD Police Department communicate regularly

with members of other law enforcement agencies on the scene of incidents that occur in and around our campus area. UHD Police Investigators work with other law enforcement agencies when required for joint investigative efforts. A memorandum of understanding exists between UHD Police and the Houston Independent School District Police Department. A memorandum of understanding exists between UHD Police and the Houston Police Department for radio communication access.

Identification

It is recommended that all students, faculty, staff and visitors of the University of Houston-Downtown carry identification with them while on University of Houston-Downtown property. Section 51.209 of the Texas Education Code states, "The governing board of the state institution of higher education or its authorized representatives may refuse to allow persons having no legitimate business to enter on property under the board's control, and may reject any undesirable person from the property on his/her refusal to leave peaceably. Identification may be required of any person on the property."

Maintenance and Security of Facilities

The University of Houston-Downtown Facilities Management's goal is to provide a safe, operational, and attractive campus for use by the university community and visitors. Facilities Management's responsibilities include the repair, maintenance, and building of campus facilities. The University of Houston-Downtown Police Department is committed to ensuring the safety and security of its campus and its facilities by being vigilant in observing and reporting any damaged facilities, parking lots, etc. immediately to the Facilities Management Office. Through daily patrols, which include foot, mobile as well as bicycle patrol, officers are able to observe and report deficiencies to the on-duty dispatcher for reporting to Facilities Management. All perimeter doors are locked electronically nightly via a computer security system and are checked by police officers and security officers. Access to the Jesse Jones Student Life Center, Commerce Street Building and Shea Street Building, during after-hour and holiday period(s), is limited to faculty/staff with valid access codes to enter such facility. Campus landscaping is maintained on a regular basis. All students are encouraged to report any deficiencies either directly to Facilities Management at 713-221-8026 or to the Police Department at 713-221-8065.

Annual Fire Safety Reporting on Student Housing

The University of Houston-Downtown (UHD) has no on-campus student housing facilities so there is no policy governing an *Annual Fire Safety Report and/or Fire Safety Report Log*, a description of each on-campus student housing facility fire safety system or the number of fire drills held during the previous calendar year.

Notification of Missing Students

The UH-Downtown has no on-campus student housing facilities so it has no policy governing *Notification of Missing Students*.

Summary of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Introduction

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, codified at 20 USC1092 (f) as a part of the Higher Education Act of 1965, is a federal law that requires colleges and universities to disclose certain timely and annual information about campus crime and security policies. All public and private institutions of postsecondary education participating in federal student aid programs are subject to it. Violators can be "fined" up to \$27,500 by the U.S. Department of Education or face other enforcement action. The law, originally enacted by the Congress in 1990 as the Campus Security Act, was championed by Howard & Connie Clery after their daughter Jeanne was murdered at Lehigh University in 1986. They also founded the non-profit Security On Campus, Inc. in 1987. Amendments to the Act in 1998 renamed it in memory of Jeanne Clery.

Annual Report

Schools have to publish an annual report every year by October 1st that contains 3 years worth of campus crime statistics and certain security policy statements including sexual assault policies which assure basic victims' rights, the law enforcement authority of campus police and where students should go to report crimes. The report is to be made available automatically to all current students and employees while prospective students and employees are to be notified of its existence and afforded an opportunity to request a copy. Schools can comply using the Internet so long as the required recipients are notified and provided the exact Internet address where the report can be found and paper copies are available upon request. A copy of the statistics must also be provided to the U.S. Department of Education.

UCR (Uniform Crime Reporting) Definitions

Criminal Homicide:

Criminal homicide. These offenses are separated into two categories: Murder and Non-negligent Manslaughter, and Negligent Manslaughter.

Murder & Non-negligent Manslaughter

Murder and Non-negligent Manslaughter is defined as the willful (non-negligent) killing of one human being by another.

Negligent Manslaughter is defined as the killing of another person through gross negligence.

Sex offenses. Sex offenses are separated into two categories: forcible and non-forcible. Include attempted sex offenses, but do not include in your Clery statistical disclosures any sex offenses other than the four types of Forcible Sex Offenses and the two types of

Non-forcible Sex Offenses described in this chapter.

Sex Offenses—Forcible is defined as 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.

There are four types of Forcible Sex Offenses:

Forcible Rape is 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 is 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 is 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 is 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 is defined as unlawful, non-forcible sexual intercourse.

There are two types of Non-forcible Sex Offenses:

Incest is non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape is non-forcible sexual intercourse with a person who is under the statutory age of consent.

The statutory age of consent differs by state. For example, in Maryland, the statutory age of consent is 14 years of age (which means the victim must be under 14), and the offender must be at least four years older than the victim. In Nevada, a victim is someone under age 16, and an offender is someone 18 or older. We recommend that you consult your state's statutes to determine the statutory age of consent.

Robbery- Robbery is 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.- Aggravated assault is 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- Burglary is the unlawful entry of a structure to commit a felony or a theft. This category includes attempts.

The UCR definition of a structure includes:

Apartment, barn, cabin, church, condominium, dwelling house, factory, garage, house trailer or houseboat (used as permanent dwelling), mill, office, other building, outbuilding, public building, railroad car, room, school, stable, storage facility, vessel (ship) and warehouse.

Any house trailer or other mobile unit that is permanently fixed as an office, residence or storehouse.

Motor Vehicle Theft – Motor vehicle theft is the theft or attempted theft of a motor vehicle.

Arson- Arson is any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Hate Crime - A hate crime is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation or ethnicity/national origin.

Arrests- Drug Abuse Violations are defined as 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.

Arrests- Liquor Law Violations are defined as 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.

Arrests- Weapons: Carrying, Possessing, Etc., is defined as the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

Clery Act Data Collections Policy

Purpose

The purpose of this policy is to set forth guidelines that will assist this department in the collection of crime statistics for compliance with the Jeanne Clery Act.

Policy

It is the purpose of this policy to collect the most accurate crime statistics for university and non-university property.

Procedure

The Records Manager will contact the City of Houston Police Department's Special Operations Unit, Harris County Sheriff's Office and Metropolitan Transit Authority via email and request statistics for the UH-Downtown coverage area. After the representative conducts research, his/her findings are then relayed to this office. The statistics are then verified by the Chief of Police and the Vice President for Administration. The findings are then posted on the web site to reflect accurate data. Crime statistics for the campus, unobstructed public areas immediately adjacent to or running through the campus, and certain non-campus facilities including housing and remote classrooms are gathered.

Crimes are reported in the following 11 major categories, with several sub-categories: 1.) Criminal Homicide broken down by a.) Murder and Non-negligent Manslaughter and b.) Negligent manslaughter; 2.) Sex Offenses broken down by a.) Forcible Sex Offenses (includes rape) and b.) Non-forcible Sex Offenses; 3.) Robbery; 4.) Aggravated Assault; 5.) Burglary; 6.) Motor Vehicle Theft; 7) Arson; 8) Larceny-theft; 9) Simple assault; 10) Vandalism; and 11) Intimidation.

The statistics are also broken down geographically into "on campus," "residential facilities for students on campus," non-campus buildings, or "on public property" such as streets and sidewalks. Schools can use a map to denote these areas. The report must also indicate if any of the reported incidents, or any other crime involving bodily injury, was a "hate crime."

Crime Statistics

Each school must disclose crime statistics for the campus, unobstructed public areas immediately adjacent to or running through the campus, and certain non-campus facilities including Greek housing and remote classrooms. The statistics must be gathered from campus police or security, local law enforcement, and other school officials who have "significant responsibility for student and campus activities" such as student judicial affairs directors. Professional mental health and religious counselors are exempt from reporting obligations, but may refer patients to a confidential reporting system which the school has to indicate whether or not it has.

Crimes are reported in the following 11 major categories, with several sub-categories: 1.) Criminal Homicide broken down by a.) Murder and Non-negligent Manslaughter and b.) Negligent manslaughter; 2.) Sex Offenses broken down by a.) Forcible Sex Offenses (includes rape) and b.) Non-forcible Sex Offenses; 3.) Robbery; 4.) Aggravated Assault; 5.) Burglary; 6.) Motor Vehicle Theft; 7) Arson; 8) Larceny-theft; 9) Simple assault; 10) Vandalism; and 11) Intimidation.

Schools are also required to report the following three types of incidents if they result in either an arrest or disciplinary referral: 1.) Liquor Law Violations; 2.) Drug Law Violations; and 3.) Illegal Weapons Possession. If both an arrest and referral are made only the arrest is counted.

The statistics are also broken down geographically into "on campus," "residential facilities for students on campus," non-campus buildings, or "on public property" such as streets and sidewalks. Schools can use a map to denote these areas. The report must also indicate if any of the reported incidents, or any other crime involving bodily injury, was a "hate crime."

Clery Act Definitions

Statistics for Public Property Crime was compiled for crimes occurring from 500 North Main (to the north) to 100 Main Street @ 1000 Franklin Street (to the south) to 200 Travis Street @ 200 Girard Street (to the west) to the sidewalk running along Main Street/ North Main Street and along Metrorail Station for non-university property.

Criminal Homicide:

Criminal homicide. These offenses are separated into two categories: Murder and Non-negligent Manslaughter, and Negligent Manslaughter.

Murder & Non-negligent Manslaughter

Murder and Non-negligent Manslaughter is defined as the willful (non-negligent) killing of one human being by another.

Negligent Manslaughter is defined as the killing of another person through gross negligence.

Sex offenses. Sex offenses are separated into two categories: forcible and non-forcible. Include attempted sex offenses, but do not include in your Clery statistical disclosures any sex offenses other than the four types of Forcible Sex Offenses and the two types of Non-forcible Sex Offenses described in this chapter.

Sex Offenses—Forcible is defined as 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.

There are four types of Forcible Sex Offenses:

Forcible Rape is 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 is 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 is 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 is 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 is defined as unlawful, non-forcible sexual intercourse.

There are two types of Non-forcible Sex Offenses:

Incest is non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape is non-forcible sexual intercourse with a person who is under the statutory age of consent.

The statutory age of consent differs by state. For example, in Maryland, the statutory age of consent is 14 years of age (which means the victim must be under 14), and the offender must be at least four years older than the victim. In Nevada, a victim is someone under age 16, and an offender is someone 18 or older. We recommend that you consult your state's statutes to determine the statutory age of consent.

Robbery- Robbery is 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.- Aggravated assault is 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- Burglary is the unlawful entry of a structure to commit a felony or a theft. This category includes attempts.

The UCR definition of a structure includes:

Apartment, barn, cabin, church, condominium, dwelling house, factory, garage, house trailer or houseboat (used as permanent dwelling), mill, office, other building, outbuilding, public building, railroad car, room, school, stable, storage facility, vessel (ship) and warehouse.

Any house trailer or other mobile unit that is permanently fixed as an office, residence or storehouse.

Motor Vehicle Theft – Motor vehicle theft is the theft or attempted theft of a motor vehicle.

Arson- Arson is any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Hate Crime - A hate crime is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation or ethnicity/national origin.

Arrests- Drug Abuse Violations are defined as 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.

Arrests- Liquor Law Violations are defined as 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.

Arrests- Weapons: Carrying, Possessing, Etc., is defined as the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

Hate Crimes

UHD is required to report statistics for hate (bias) related crimes by the type of bias as defined below for the following classifications: murder/non-negligent manslaughter, negligent manslaughter, sex offenses (forcible and non-forcible), robbery, aggravated assault, burglary, motor vehicle theft, arson, liquor law violations, drug violations and/or illegal weapons possession (see definitions on the front page) and larceny, vandalism, intimidation, and simple assault (see definitions below).

Larceny: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

Vandalism: To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

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.

Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

If a hate crime occurs where there is an incident involving intimidation, vandalism, larceny, simple assault or other bodily injury, the law requires that the statistic be reported as a hate crime even though there is no requirement to report the crime classification in any other area of the compliance document.

A hate or bias related crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias. For example, a subject assaults a victim, which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of his bias against the victim's race, sexual orientation, etc... the assault is then also classified as a hate/bias crime.

On-Campus Crime Statistics

	2008	2009	2010
Criminal Homicide	0	0	0
Murder & Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Sex Offenses	0	0	0
Forcible Sex Offenses (Rape)	0	0	0
Non-Forcible Sex Offenses	0	0	0
Robbery	0	3	2
Aggravated Assault	2	1	1
Burglary	0	1	0
Motor Vehicle Theft	2	2	5
Arson	0	0	0

On-Campus Arrests

<i>Violations</i>	2008	2009	2010
Alcohol	4	0	0
Drugs	7	2	2
Weapons	0	0	2

Residential Facilities Crime Statistics and Arrests

The University of Houston-Downtown has no residential facilities.

Non-Campus Buildings Crime Statistics and Arrests

The University of Houston-Downtown has no non-campus buildings

The University of Houston-Downtown Police Department made a good faith effort to obtain crime statistics from the Houston Police Department, Harris County Sheriff's Office and the Metropolitan Transit Authority Police Department. Only the Houston Police Department and the Metropolitan Transit Authority Police Department responded to our requests. The below listed public property crime statistics are those provided by the Houston Police Department and the Metropolitan Transit Authority Police Department

Public Property Crime Statistics

	2008	2009	2010
Criminal Homicide	0	0	0
Murder & Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Sex Offenses	0	0	0
Forcible Sex Offenses (Rape)	0	1	0
Non-Forcible Sex Offenses	0	0	0
Robbery	0	0	0
Aggravated Assault	0	1	3
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0

Public Property Arrests

Violations	2008	2009	2010
Alcohol	5	1	0
Drugs	4	0	30
Weapons	0	0	1

Disciplinary Action Referrals

There was one (1) disciplinary action referral for a DRUG violation.

Hate Crime Statistics

OC- On-Campus PP- Public Property

2008	Race		Gender		Religion		Sexual Orientation		Ethnicity		Disability	
	OC	PP	OC	PP	OC	PP	OC	PP	OC	PP	OC	PP
Murder & Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0
Non-Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Sexual Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0
Destruction, damage or vandalism of property	0	0	0	0	0	0	0	0	0	0	0	0

OC- On-Campus PP- Public Property

2009	Race		Gender		Religion		Sexual Orientation		Ethnicity		Disability	
	OC	PP	OC	PP	OC	PP	OC	PP	OC	PP	OC	PP
Murder & Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0
Non-Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Sexual Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0
Destruction, damage or vandalism of property	0	0	0	0	0	0	0	0	0	0	0	0

OC- On-Campus PP- Public Property

2010	Race		Gender		Religion		Sexual Orientation		Ethnicity		Disability	
	OC	PP	OC	PP	OC	PP	OC	PP	OC	PP	OC	PP
Murder & Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0
Non-Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Sexual Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0
Destruction, damage or vandalism of property	0	0	0	0	0	0	0	0	0	0	0	0

UH-Downtown leases offices and classrooms at the Lone Star College System- University Park. Crime statistics for that campus may be obtained by accessing this link: www.lonestar.edu/crime-stat.htm.

Crime Log

Any institution that maintains a campus police or a campus security department must maintain a written, easily understood daily crime log that records, by the date the crime was reported, any crime that occurred on campus, on a non-campus building or property, on public property or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or the campus security department.

Timely Information and Timely Warnings

Schools are also required to provide "timely warnings" and a separate more extensive public crime log. It is these requirements which are most likely to affect the day to day lives of students. The timely warning requirement is somewhat subjective and is only triggered when the school considers a crime to pose an ongoing "threat to students and employees" while the log records all incidents reported to the campus police or security department. Timely warnings cover a broader source of reports (campus police or security, other campus officials, and off-campus law enforcement) than the crime log but are limited to those crime categories required in the annual report. The crime log includes only incidents reported to the campus police or security department, but covers all crimes not just those required in the annual report, meaning crimes like theft are included in the log. State crime definitions may be used. Schools that maintain a police or security department are required to disclose in the public crime log "any crime that occurred on campus...or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or security department." The log is required to include the "nature, date, time, and general location of each crime" as well as its disposition if known. Incidents are to be included within two business days but certain limited information may be withheld to protect victim confidentiality, ensure the integrity of ongoing investigations, or to keep a suspect from fleeing. Only the most limited information necessary may be withheld and even then it must be released "once the adverse effect...is no longer likely to occur." The log must be publicly available during normal business hours. This means that in addition to students and employees the general public such as parents or members of the local press may access it. Logs remain open for 60 days and subsequently must be available within 2 business days of a request.

Immediate Notification and Notification to the UHD Community about an Immediate Threat

The Office of Public Affairs Office receives information from various offices/departments on campus, such as the UHD Police Department, the Office of Risk Management and Compliance, etc. If the UHD Police confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the UHD Community, the Office of Public Affairs will collaborate to determine the content of the message and will use some or all of the systems described below to communicate the threat to the UHD Community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population. The Office of Public Affairs will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to: UHD Police, any other law enforcement agency, and/or the Houston Fire Department and Emergency Medical Services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. In the event of a serious incident that poses an immediate threat to members of the UHD community, the University has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat to the UHD campus community. These methods of communication include but are not limited to: emergency text messages sent to cell phones, network emails, and emergency messages that scroll across information kiosks. Departments involved in fulfilling the obligations of this Standard Operating Procedure include: The Vice President for Administration and Finance, the UH-Downtown Police Department (UHDPD) and the Office of Public Affairs. There is a separate procedure governing timely warning notices that are sent to the UH-Downtown Community to notify members of the community about serious crimes against people that occur on campus, when it is determined by UH-Downtown Police

administrators that the incident may pose an on-going threat to members of the UH-Downtown community. If a serious crime, a natural disaster or a man made emergency occurs that poses an immediate threat to the UH-Downtown community or a segment of the UH-Downtown community, Federal Law requires that the institution immediately notify the campus community or the appropriate segments of the community that may be affected by the situation. If the institution implements the procedures regarding notification of the UH-Downtown community for an immediate threat, the institution is not obligated to implement the timely warning notice procedures. The types of incidents that may cause an immediate threat to the UH-Downtown community could include but are not limited to emergencies such as: an active shooter on campus, hostage/barricade situation, a riot, suspicious package with confirmation of a device, a tornado, a fire/explosion, suspicious death, structural damage to a UH-Downtown owned or controlled facility, biological threat (anthrax, etc), significant flooding, a gas leak, hazardous materials spill, etc. All members of the UH-Downtown Community are notified on an annual basis that they are required to notify the UH-Downtown Police Department (UHDPD) of any situation or incident on campus that involves a significant emergency or dangerous situation that may involve an immediate or on going threat to the health and safety of students and/or employees on campus. UH-Downtown Police Department has a responsibility to respond to such incidents to determine if the situation does in fact, pose an immediate threat to the community.

The UH-Downtown Police Supervisor on duty is responsible for immediately notifying the appropriate UH-Downtown Police administrator of any situation that poses an immediate threat to the community. The UH-Downtown Police administrator who has been notified is responsible for immediately notifying the following individuals who are responsible for developing the content of the message to the community and sending the message using some or all of the below listed methods: The Vice President for Administration and Finance and the Office of Public Affairs about the incident.

The Office of Risk Management and Compliance receives information from other offices/departments on campus, such as, Natural Sciences. If the Office of Risk Management or Office of Public Affairs staff receive information from other sources about a situation on campus that may cause an immediate threat to the UH-Downtown community, they are responsible for contacting a UH-Downtown Police administrator (Sergeant, Lieutenant or the Chief) to confirm whether or not UH-Downtown Police has responded to the incident.

The Vice President of Finance and Administration and/or the Office of Public Affairs will determine the content of the message and will use some or all of the systems described below to communicate the threat to the UH-Downtown Community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

As per the requirements of the law, the Office of Public Affairs will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to: UH-Downtown Police, Houston Police Department, Harris County Sheriff's Office and/or the Houston Fire and Emergency Medical Services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The various systems that institution has in place for communicating information quickly to the UH-Downtown community, include:

- Network emails
- Scrolling Information kiosks
- Text messages sent to cell phones for person(s) who register for this service

The Office of public Affairs will post updates during a critical incident on the UHD web site at www.uhd.edu . Some or all of these methods of communication may be activated in the event of an immediate threat to the UHD campus community.

Safety Process Policy PS 01.D.01

PURPOSE

This PS emphasizes the University of Houston - Downtown (UHD) commitment to the prevention of accidents and injuries within the university community; to inform students, faculty and staff of their responsibility for safety and accident prevention; and to establish a mechanism for the development and review of UHD's safety process.

POLICY/PROCEDURES

The Safety Process at UHD is organized around a 3-tier plan.

Tier 1 is the Director of Safety and the Safety Inspector, as assigned by the Vice President for Administration.

Tier 2 is the Safety Committee, as assigned by the President.

Tier 3 is the Vice President for Administration and the President.

The responsibilities of each tier are outlined below.

The Director of Safety and the Safety Inspector are responsible for emergency operations; evacuation process; safety enforcement; safety training coordination; site safety inspection and evaluation; safety process record keeping; fire safety; coordination and involvement of managers, directors and deans in the safety process; unit-based planning and budget development of the safety process; and University compliance coordination. The Safety Committee is responsible for promoting and maintaining the University community's interest in safety through participation, education and training; group/committee support for safety projects and campaigns; individual member assistance in the safety process objectives.

The Vice President for Administration and President are responsible for executive support of the safety process through the following means: inclusion of the safety process in executive decision-making; financial support for the safety process; support for

internal enforcement of the safety process standards as determined by the Safety Committee, the Director of Safety, and the Safety Inspector.

The general rules of implementation are as follows:

The Vice President for Administration will appoint the Chief of Police as the Director of Safety. The President will appoint the members of the Safety Committee by September 1 of each academic year, to two year staggered terms, such that only half of the committee members are reappointed each year. The Safety Committee will be composed of one permanent member from each of the following areas: Student Health Services, Counseling and Career Services, Disabled Student Services, Human Resources, Physical Plant, Police Department, and each of the colleges. Additionally, a student from the Student Government Association and a student from the Disabled Student Services will serve as members of the Committee.

The Safety Committee will meet monthly as a group and individually, when necessary, with the Director of Safety and the Safety Inspector when working on inspections or safety campaigns.

The Director of Safety and the Safety Inspector will submit meeting minutes and quarterly reports to the Vice President for Administration and President and an annual report before the end of each calendar year. The Director of Safety and the Safety Inspector will develop a safety library for the University community. The safety library will include literature, training materials and resource information. Major resource information will include the following titles: Life Safety Code, Employees' Safety and Health Program for Texas State Agencies, Texas Safety Association and National Safety Council Literature.

Safety enforcement will be administered by the Director of Safety and the Safety Inspector through the Vice President for Administration. Recommendations for safety enforcement actions may be initiated by any Safety Committee members, the Director of Safety, the Safety Inspector, and the Vice President for Administration or the President.

Sex Offender Registration

The **Campus Sex Crimes Prevention Act** is a federal law enacted on October 28, 2000 that provides for the tracking of convicted, registered sex offenders enrolled as students at institutions of higher education, or working or volunteering on campus. It was sponsored by U.S. Senator Jon Kyl of Arizona and supported by Security On Campus, Inc. Any member(s) of the University Community who wish to be informed of the identities of registered sex offenders who are currently registered with the UH-Downtown Police Department as a sex offender may access the **DPS Sex Offender Database** and access the area for Higher Education. Each college or university is listed with all registered sex offenders attending those campuses.

Sexual Assault Policy PS 01.A.13

1. PURPOSE

This PS sets forth the University of Houston-Downtown (UHD) policy on sexual assault.

2. DEFINITIONS

2.1 Employee: An individual receiving a salary, wages, other compensation and/or stipend support from the University.

2.2 Employee Assistance Program (EAP): A confidential counseling and referral program, available to eligible employees and their families, which provides assistance with personal and/or family problems.

2.3 Student: An individual registered or enrolled for credit or non-credit in a course or program offered by the University of Houston-Downtown.

2.4 Student Assistance Program (SAP): A confidential counseling and referral program, available to students, which provides personal support for a wide range of issues, from everyday concerns to serious problems. The SAP is managed through the Counseling Services Department at UHD.

3. POLICY

3.1 It is university policy that sexual assault, including rape and other sex offenses, is a violation of the university's Student's Rights and Responsibilities Policy, the University's Sexual Harassment Policy, and the Texas Penal Code.

3.1.1 UHD provides programming to enhance sexual assault awareness and prevention throughout the year with specific emphasis during annual Sexual Assault Awareness Week programs. Selected faculty and staff members and community experts give presentations and provide resources on request.

3.2 A faculty member, staff member or student who commits sexual assault may also be charged with a violation of the University's Sexual Harassment policy. This policy explains which administrator the victim should contact to obtain information about penalties up to and including expulsion for students and termination of employment for faculty and staff. See the Student Handbook, the Staff Handbook or the appropriate university policy for more information on sexual harassment.

3.3 A sexual assault victim may seek on-campus assistance by contacting any of the following: UHD Police Department, Counseling Services, Student Health Services, the Office of the Vice President for Student Services/Enrollment Management and Office of the Vice President for Employment Services and Operations. Staff members from these offices can provide assistance in notifying the proper law-enforcement authorities, if the victim so desires. To file an emergency sexual assault report off-campus, call the Houston Police Department (911) or the Houston Area Rape Crisis Center (713-528-7273). For non-emergency reports of sexual assault to off-campus law enforcement officials, victims should call the Houston Police Department or appropriate law enforcement agency.

3.3.1 Because evidence of sexual assault and attacker's identity may be left on the victim's body and clothing, a victim should not wash or dispose of any clothing worn at the time of the attack until the victim has been examined at a hospital emergency room. (If they victim changes clothes, all clothing worn at the time of the attack should be placed in a paper, not plastic bag.) A victim of sexual assault should undergo a physical exam as expediently as possible because the evidence deteriorates quickly and is important in proving the assault in criminal proceedings. The hospital staff will collect evidence, check for injuries, and deal with the possibility of exposure to sexually transmitted diseases.

3.4 A student victim who wishes to file a complaint of violation of the university's Sexual Assault policy against a student should notify the Discipline Officer in the Office of Student Services/Enrollment Management. The Discipline Officer can assist the victim in reporting the assault to on- or off-campus law enforcement authorities. While criminal investigations will be conducted by the appropriate law enforcement authorities, the Discipline Officer will conduct an on-campus hearing or investigation. Possible sanctions against a student found guilty of sexual assault through on-campus proceedings include probation, suspension, or expulsion. See the Student Rights and Responsibilities Policy, Sections 3.2.21, 3.2.28, and 3.2.2.23 found in the Student Handbook, for more information on procedures and sanctions.

3.5 A faculty or staff victim who wishes to file a complaint of violation of the university's Sexual Assault policy should notify the Campus Relations/Affirmative Action Officer (CR/AAO). The CR/AAO can assist the victim in reporting the assault to on- or off-campus law enforcement authorities. While criminal investigations will be conducted by the appropriate law enforcement authorities, the CR/AAO may conduct an on-campus investigation. Possible sanctions/disciplinary actions against an employee/student found to have violated this policy include up to termination of employment (for employees) or expulsion from the university (for students).

3.6 A victim who wishes to file a complaint of violation of the University's Sexual Assault policy against a faculty or staff member should notify the CR/AAO who can assist the victim in reporting the assault to on- or off-campus law enforcement authorities. While criminal investigations will be conducted by the appropriate law enforcement authorities, the CR/AAO may conduct an on-campus investigation. A faculty or staff member found guilty of sexual assault through on-campus proceedings will be subject to disciplinary action(s) up to and including termination. Refer to [PS 02.B.03](#) and [PS 10.A.06](#) for more information on disciplinary procedures and sanctions for faculty and staff members.

3.7 The accuser and the accused perpetrator are entitled to have an advisor or advocate present during campus disciplinary proceedings. Both parties shall be informed of the outcome of any campus disciplinary proceeding alleging sexual assault.

3.8 After reporting a sexual assault, a victim may request a change in academic or employment situations. Accommodations will be made only if requested by the victim, and only if such changes are reasonably available. A student victim may request assistance from the Office of Student Services/Enrollment Management or the UHD Police Department. If the victim is a faculty or staff member, assistance may be obtained from the CR/AAO, UHD Police Department, and the appropriate supervisor.

3.9 Counseling and referral information for survivors of sexual assault are available on campus through Counseling Services, the Employee Assistance Program (EAP), and off-campus through the Houston Rape Crisis Coalition, the Houston Health Department V.A.S.A. Program, the Houston Area Women's Center, and the Baytown Area Women's Center.

3.10 For more detailed information on sexual assault response and prevention procedures, please refer to the resources available in the following offices: Counseling Services, Student Health Services, ESO, UHD Police Department, and the Office of Student Services/Enrollment Management.

4. PROCEDURES

There are no procedures associated with this policy.

5. EXHIBITS

There are no exhibits associated with this policy.

6. REVIEW PROCESS

Responsible Party (Reviewer): Student Discipline Officer and Campus Relations Officer Review: Every five years on or before July 1st.

Signed original policy on file in Employment Services and Operations.

Sexual Harassment Policy PS 02.A.15

1. PURPOSE

This Policy Statement (PS or policy) informs all employees and students that sexual harassment in the workplace and academic setting is strictly prohibited. The University of Houston-Downtown (UHD or University) is committed to workplace and academic environments that are free from inappropriate sexual conduct. This policy provides the only internal forum in which to claim, resolve and/or appeal sexual harassment complaints. Sexual misconduct and sexual harassment are unprofessional behaviors and individuals who engage in such conduct will be subject to disciplinary action, up to and including termination of employment and/or expulsion from school.

2. DEFINITIONS

2.1 Harassment on the basis of sex (i.e. sexual harassment) is discrimination in violation of Title VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, and 20 U.S.C. 1681.

2.2 Sexual harassment by a public servant may be a criminal offense under Texas Penal Code and sexual harassment by any individual may, depending upon its seriousness, constitute assault, sexual assault, public lewdness, or indecent exposure under Chapters 21 and 22 of the Texas Penal Code.

2.3 Sexual harassment most often exploits a relationship between individuals of unequal power and authority (as, for example, between an employee and supervisor or between a student and teacher), but may also occur between student peers or employees of equal rank.

2.4 Sexual harassment is not limited to the gender of either party, and not by superior-subordinate relationships. Prior consensual relationships shall not be a defense to alleged subsequent unwelcome sexually harassing behaviors.

2.5 Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when submission to or rejection of this conduct explicitly or implicitly affects an individual's employment or

academic status, unreasonably interferes with an individual's work/academic performance or creates an intimidating, hostile or offensive work and/or academic environment.

2.6 Sexual harassing behavior may include, but is not limited to, the following:

2.6.1 Unwelcome sexual flirtations, advances, propositions or leers;

2.6.2 Verbal remarks of a sexual nature (whether directed to an individual or a group), including sexually explicit or offensive jokes, comments, anecdotes or slurs unrelated to instruction and/or the pursuit of knowledge;

2.6.3 Graphic or degrading verbal, written or electronic comments of a sexual nature unrelated to instruction and/or the pursuit of knowledge;

2.6.4 Suggestive or unwelcome physical contact, including but not limited to touching, hugging, pinching, or patting;

2.6.5 Use of sexually oriented pictures, posters, cartoons, objects, materials or themes unrelated to instruction and/or the pursuit of knowledge.

2.6.6 Conduct of a sexual nature that interferes with a student's academic or extra-curricular activities or with an employee's job performance;

2.6.7 Suggestions that submission to or rejection of sexual advances would affect employment or educational decisions such as selection, promotion, demotion, salary, academic standing, grades, receipt of financial aid, or letters of recommendation; or

2.6.8 Actual or threatened physical/sexual assault.

2.7 Complainant: A faculty or staff member, student or student worker who makes or asserts an allegation of sexual harassment.

2.8 Respondent: The person against whom the complainant makes or asserts allegations of sexual harassment.

2.9 Administrative Officer: A person with direct supervisory authority over a college, division or department, including but not limited to, a Department Chair, Division Head, Dean, Vice President, Provost or the President.

2.10 Conflict of Interest Relationship: For purposes of this Sexual Harassment policy, romantic and/or sexual relationships between individuals in a supervisory/subordinate, teacher/student, evaluator/evaluee, advisor/student, or counselor/client capacity constitutes a conflict of interest relationship by, among other things, creating the potential for a hostile environment, either for the person with lower institutional authority, or others not in the relationship. The person with the higher institutional authority has the responsibility to avoid and/or eliminate the potential to harm the person with lower institutional authority. Faculty, administrative officers, managers, supervisors, staff and students who are in a position to influence academic or employment decisions about others with whom they are in a romantic and/or sexual relationship should immediately recuse themselves from such decisions regarding that individual and bring the matter to the attention of his/her supervisor.

2.11 Sexual Harassment Board (SHB): The President of UHD shall appoint six (6) faculty, six (6) staff and three (3) students to the Sexual Harassment Board (SHB) after receiving recommendations as to whom to appoint to the SHB, from the UHD Faculty Senate, Staff Council and Student Government Association. Appointments to the SHB will be for three (3) years, with no more than one third of the SHB rotating off every year. The Chair of the SHB shall be appointed by the Campus Relations/Affirmative Action Officer (CR/AAO). Student members may require annual renewable appointments. The SHB will be appointed by no later than September 15 of each year. The membership of the SHB has the responsibility to serve on hearing panels related to sexual harassment.

2.12 Hearing Panel: The representative body selected from the SHB by the Chair of the SHB to hear a complaint, deliberate and provide recommendations to the President of UHD.

2.13 Corrective Action: The action taken by the University to eliminate or modify any act(s), conduct, policy, procedure or practice that may have violated this policy or to provide redress to a complainant harmed by an identified policy violation.

2.14 Retaliation: A punitive action taken against a complainant based on that person's good faith participation in a protected activity. A protected activity under this Sexual Harassment policy includes, but is not limited to: the filing, or believed filing of an internal sexual harassment complaint; the filing, or believed filing of an external complaint under state and/or federal sexual harassment statutes; the assisting of a person who has filed an internal or external sexual harassment complaint; the participation in and/or with the investigative or resolution process regarding a sexual harassment complaint filed with the CR/AAO or regarding external complaints filed under state and/or federal sexual harassment statutes; serving on a sexual harassment hearing panel or protesting practices alleged to violate sexual harassment policies, regulations or statutes.

3. POLICY

3.1 The University of Houston-Downtown is committed to providing a work and academic environment free from sexual harassment and to the establishment and maintenance of a constructive problem-solving mechanism for the resolution of complaints of sexual harassment.

3.2 The ultimate responsibility for the effective implementation of this policy rests with the President of the University of Houston-Downtown. The University's administrative officers, along with the CR/AAO, must make all reasonable efforts to ensure that the University's Sexual Harassment policy is communicated to the University's faculty, staff, students and student employees routinely through various print and/or electronic mediums.

3.3 It is the primary responsibility of the CR/AAO to assist the President of UHD to ensure effective implementation and periodic reviews of this policy.

3.4 It is the responsibility of UHD faculty and supervisors to immediately report any and all complaints and/or incidents of alleged sexual harassment to their respective administrative officers and/or the CR/AAO, even if such allegations and/or incidents of sexual harassment have already been resolved through the faculty/supervisor's department.

3.5 The University shall take preventive and corrective action in cases where it is determined that this Sexual Harassment policy has been violated. Individuals who engage in sexual harassment or related misconduct are subject to appropriate disciplinary action, through the relevant University disciplinary policy.

3.6 The University recognizes the delicate nature of sexual harassment complaints, the issues related to such complaints, and the reluctance by individuals to inform the proper authorities of alleged harassment or to have their names disclosed as a result of complaints of sexual harassment. A concerted effort will be made to respect the right to confidentiality of all parties involved with a sexual harassment complaint or allegation and to treat sexual harassment allegations seriously. However, confidentiality cannot be guaranteed.

3.7 Retaliatory action taken against an individual as a result of that person's protected participation with any aspect of a sexual harassment complaint is prohibited. Such action shall be regarded as a separate and distinct cause for complaint and/or disciplinary action.

3.8 Malicious charges of sexual harassment may result in sanctions being imposed against the complainant by the University. Additionally, repeated filings of frivolous complaints may be considered a malicious action. The determination as to whether a frivolous/malicious complaint was filed lies with the CR/AAO. The determination made by the CR/AAO may be appealed to the respective vice president (within five business days). The vice president's determination is final and may not be appealed to the Sexual Harassment Board/hearing panel. The failure to substantiate a sexual harassment charge does not automatically constitute a malicious charge.

3.9 This policy does not preclude anyone from pursuing a complaint of sexual harassment, at any stage of the process, with an external agency.

4. PROCEDURES

4.1 The University's Sexual Harassment policy provides two options to address and/or resolve sexual harassment concerns and/or complaints. The two processes are the (1) informal complaint, and (2) formal complaint. The University is committed to resolving complaints or concerns of sexual harassment at the lowest possible level whenever possible and encourages the resolution to occur at the informal level whenever possible.

4.2 The University recognizes that some people may be reluctant to come forward with complaints of sexual harassment and provides up to one year for a person to come forward with such a complaint. However, the University strongly encourages the parties to come forward with their complaints or concerns as soon as possible.

4.3 Complaints should be filed with either a University administrative officer or the CR/AAO. Administrative officers are required to immediately forward any complaints and/or incidents of alleged sexual harassment filed with them or brought to their attention to the CR/AAO.

4.4 Recordkeeping: All records associated with the complaint filed with and/or otherwise submitted to the CR/AAO, will be maintained by the CR/AAO in accordance with University, Federal and State retention schedules.

4.5 Coordination with other Grievance Procedures:

4.5.1 This policy shall not be utilized to address complaints of discrimination or other forms of harassment, other than sexual harassment, and consequently does not replace, nor should it be substituted for, the University's Title IX policy, PS 02.B.01, which shall be used for all discrimination/non-sexual harassment complaints.

4.5.2 This policy does not replace established faculty, student, or staff grievance procedures not related to sexual harassment complaints and/or issues. The University does not intend for this Sexual Harassment policy to replace, or substitute for, other established faculty, student, and staff grievance procedures. However, the University recognizes that a complaint or appeal filed under the other established grievance procedures may include, at times, an allegation of sexual harassment. Therefore, when a university officer, e.g. Vice President, Provost, Dean, Department Chair or supervisor, presiding over a formal process other than under this Sexual Harassment policy receives a grievance, complaint or an appeal that includes an allegation of sexual harassment, s/he must immediately notify the CR/AAO. The CR/AAO must also be provided a copy of all grievance materials related to the sexual harassment allegation(s). If a hearing involves the faculty, staff or student who brought forward such allegations, the CR/AAO shall be notified of the hearing's time, date and location in order to attend as a resource person for the hearing panel. The CR/AAO will not have a vote at the hearing, nor be present during deliberations.

4.6 The University is committed to the prevention and elimination of sexual harassment of its faculty, staff, students, and student employees. The University promotes educational programs coordinated by the CR/AAO to meet the following goals:

4.6.1 Inform University constituents of their rights through training and dissemination of the Sexual Harassment policy;

4.6.2 Provide copies of the Sexual Harassment policy during orientation for faculty, staff, students and student employees;

4.6.3 Inform University constituents as to the appropriate procedures for reporting complaints and/or alleged incidents of sexual harassment and the mechanisms provided to address such complaints.

4.7 INFORMAL COMPLAINT: The primary focus of an informal complaint is resolution and it does not seek to place blame or find cause.

4.7.1 The University encourages informal resolution of grievances or complaints as the most effective solution to problems. Thus, complainant is encouraged to consult with the respondent, a supervisor or the CR/AAO to seek an informal resolution prior to filing a formal complaint. The goal of an informal complaint is to notify the alleged offender of the conduct the complainant alleges is sexually harassing, and to end or otherwise properly address the alleged inappropriate behavior. The purpose of such a complaint is not to determine the validity, or the lack thereof, of a complaint or to establish guilt or innocence, but instead to provide notification and resolution.

4.7.2 Informal complaints may be resolved by, but are not limited to, any of the following actions:

a) Complainant directly notifies the respondent of the conduct of which s/he complains and resolves the issue in a manner satisfactory to complainant or the parties;

b) Action taken by the department head and/or supervisor to resolve the issue(s);

c) Intervention by the CR/AAO and the department head to resolve the issue(s);

4.7.3 If the complainant decides to terminate the process or withdraw the complaint at the informal level, it will not necessarily preclude a University investigation and potential corrective and/or personnel action(s) taken as a result of subsequent investigatory findings.

4.8 FORMAL COMPLAINT: The formal complaint process requires an investigation and a determination of whether or not this Sexual Harassment policy was violated.

4.8.1 Formal action by the University without a written complaint may occur if the University has knowledge of a potential or alleged violation(s) of the University's Sexual Harassment policy and a written complaint has not been filed, or the complainant is unwilling to file a formal complaint.

4.8.2 Written formal complaints are to be filed with the CR/AAO and should provide the following information:

a) Name, home address, phone number, email address, and university affiliation of complainant;

b) Nature, date(s) and description of the alleged violation(s) or conduct;

c) Name(s) of person responsible for the alleged violation(s) or conduct;

- d) Any background information that the complainant believes to be relevant, including possible witnesses;
- e) Relief requested for corrective action;
- f) Complainant's signature and date of filing.

4.8.3 Withdrawal of a formal complaint will not necessarily result in the termination of the formal action process; an investigation into the allegations may continue and resulting findings, as well as sanctions/disciplinary actions, may still be issued.

4.8.4 The CR/AO has five (5) business days, absent extenuating circumstances, from the date of the filing of a written formal complaint with the CR/AO to deliver a copy of the complaint to the respondent.

- a) The respondent will have ten (10) business days after his/her receipt of the complaint to submit a written response to the CR/AO.
- b) The response shall include, to the best of the respondent's ability, any explanation or denial, in whole or in part, of all sexual harassment allegations asserted in the complaint.
- c) Failure to submit to the CR/AO a response to the complaint within the ten (10) business days may result in sanctions being levied against the respondent.
- d) The respondent will be specifically warned that retaliation is prohibited and, if established, will result in disciplinary action up to and including termination.

4.8.5 The CR/AO will notify those administrators who have a "need to know" of the complaint. This notification will include, but not be limited to, the administrative officers to whom the complainant and the respondent report.

4.8.6 The CR/AO shall investigate all formal complaints of sexual harassment. The investigation may begin before or after the CR/AO receives the respondent's response. Absent extenuating circumstances, the investigation shall be completed within thirty (30) business days after the CR/AO's receipt of the response.

4.8.7 Standard of Proof: The complainant has the burden to establish the allegations of his/her complaint by a preponderance of the evidence. This standard means that the evidence supplied by the complainant or gathered during the investigation must establish that the events surrounding the complaint were more likely to have occurred than to not have occurred and that such events are violative of this policy.

4.8.8 The CR/AO must take action, absent extenuating circumstances, within five (5) business days after the investigation is complete. The CR/AO has three (3) options:

- a) Dismiss the complaint on the grounds that the evidence submitted in support of the complaint or developed in the investigation does not warrant further action;
- b) Resolve the matter with the appropriate administrator; or
- c) Allow the parties to sign a written statement of agreement resolving the complaint. It should be understood that any agreement between the parties does not preclude further action by the University.

4.8.9 If the CR/AO dismisses the complaint, the complainant has ten (10) business days to submit a written appeal to the CR/AO regarding the CR/AO's decision to dismiss the complaint. The CR/AO shall contact the Chair of the Sexual Harassment Board to convene a hearing panel to hear and consider the complainants' appeal. Absent extenuating circumstances, the hearing shall be scheduled within twenty (20) business days of the CR/AO's receipt of the complainant's written appeal.

4.9 Hearing Panel: The hearing panel shall be specifically appointed to address allegations of sexual harassment.

4.9.1 The membership of the hearing panel shall be selected from the available members of the SHB by the Chair of the Sexual Harassment Board. The Chair of the SHB will select three (3) members to serve on the hearing panel with two (2) alternates, with at least one (1) from the constituency (faculty, staff or student) of which the respondent is a member, and one (1) from the constituency of which the complainant is a member. As much as possible, the constituency of the hearing panel shall be diverse in terms of gender and ethnicity.

4.9.2 All persons designated to serve on the hearing panel shall receive training related to sexual harassment and this policy's requirements.

4.9.3 Absent extenuating circumstances, the Chair of the SHB shall convene the hearing panel within twenty (20) business days of the CR/AO's receipt of the complainant's written appeal.

- a) No member of the hearing panel may be involved in or possess personal knowledge of any of the events surrounding the complaint.
- b) Neither the complainant's nor the respondent's department may be represented on the hearing panel.
- c) The hearing panel must represent a broad cross section of university faculty and staff.
- d) No more than one member of any department may serve on the hearing panel.
- e) No member of the hearing panel shall serve for a hearing if s/he has a conflict of interest or is involved in any of the allegations and/or events surrounding the complaint. In these instances, the proposed hearing panel member shall notify the Chair of the SHB of the existence of a conflict and/or involvement and recuse him/herself from the hearing.

4.9.4 Both the complainant and the respondent will be notified of the time, date and location of the scheduled hearing and the composition of the hearing panel by the Chair of the SHB at least ten (10), absent extenuating circumstances, business days prior to the hearing.

4.9.5 Exchange of Information: The complainant and respondent shall provide the CR/AO six (6) copies of their hearing packet no later than five (5) business days before the hearing date. No new information will be accepted after this date, except in compelling circumstances as determined by the CR/AO and/or the chair of the hearing panel. In such event, the hearing may be delayed until all interested parties have had a fair opportunity to consider the new information. It is the responsibility of the complainant and respondent to notify their respective witnesses as to the date and time of the hearing. It is not the responsibility of the CR/AO to contact witnesses or to ascertain whether such witnesses consent to provide information at the hearing. The hearing packets shall contain the following information:

- a) All documents to be used and relied on at the hearing;
- b) List of names of potential witnesses;
- c) Request (if desired) for the removal of one (1) hearing panel member; and,
- d) Notification by any of the parties if s/he intends to have an advisor/legal counsel present at the hearing (including the name, of the advisor/legal counsel, as well as the address and telephone number of the advisor/legal counsel).

4.9.6 Within three (3) business days of the hearing, absent extenuating circumstances, the CR/AO will provide to the complainant and the respondent a copy of the hearing packet submitted to the CR/AO by the opposing party.

4.9.7 Functions of the Hearing Panel: The hearing panel is a fact-finding body that conducts hearings; calls, listens to and questions witnesses; examines submitted evidence; and renders a decision as to whether or not the decision of the CR/AAO to dismiss the sexual harassment complaint was appropriate.

4.9.8 Witnesses: Only listed witnesses will be allowed to address the hearing panel. Witnesses will not be present during the questioning of any party or any other witness. The number of witnesses and the length of testimony may be limited by the hearing panel. The hearing panel may also decline to hear from a witness if the testimony is determined to be repetitive, irrelevant or for other good reason. The hearing panel may ask questions of a witness at any time. Each party has the right to ask questions of each other's witnesses, after the calling party has completed his/her questions of the witness. After both parties and the hearing panel have concluded questioning the witness, the witness will be reminded that all testimony is confidential and that s/he is excused from the room and all associated areas related to the hearing. **Retaliation against any employee or student for participating or not participating in a hearing is strictly prohibited.**

4.9.9 Hearing Panel Recommendation: The recommendation of the hearing panel shall be by majority vote. The hearing panel may take one of the following actions:

- a) Make a recommended finding that the decision of the CR/AAO to dismiss the complaint be upheld; or
- b) Make a recommended finding that CR/AAO's decision to dismiss the complaint be overturned and make a recommended finding that the respondent violated UHD's Sexual Harassment policy.

4.10 Hearing Procedures: The hearing procedures, as outlined in Exhibit A, are intended to serve as a broad guide in providing a fair and impartial hearing. The hearing panel chair will be responsible for overseeing the conduct of the hearing and maintaining decorum. Disruptive behavior by any participant, advisor or witness, as determined by the hearing panel chair, will not be tolerated and will be grounds for expulsion from the hearing.

4.10.1 Advisors: Both the complainant and respondent have the right to have an advisor/legal counsel of their choice present at the hearing; however, neither party may proceed through their advisor/legal counsel. Any party choosing to bring an advisor/legal counsel to the hearing must provide the name, address and phone number of the advisor/legal counsel to the CR/AAO at least five (5) business days before the hearing date. If this information is not submitted to the CR/AAO by the prescribed deadline, the advisor/legal counsel will not be allowed to attend the hearing.

4.10.2 Only witnesses listed in the hearing packet submitted to the CR/AAO (see 4.9.8) will be allowed to address the hearing panel.

4.10.3 The hearing, but not the deliberations, will be digitally recorded so that there is an official record of what occurred. The CR/AAO will arrange for having the hearing recorded and no other recording of the proceeding will be allowed. Either party may obtain a copy of the recording at the requesting party's expense. The request must be made in writing to the CR/AAO. The recorded copies of the hearing will be kept in a secure file for three (3) years after the hearing date.

4.10.4 An attorney from the Office of General Counsel of the University of Houston System may sit as an advisor to the hearing panel. This person will be available to answer procedural questions and to assist in maintaining the decorum of the proceeding. The attorney will not be present nor participate in the deliberations.

4.10.5 As stated previously, the complainant and respondent shall provide the CR/AAO with all documents to be used and relied on at the hearing and the names of potential witnesses no later than five (5) business days before the hearing date. No new information will be accepted after this date, except in compelling circumstances as determined by the CR/AAO and/or the chair of the hearing panel. Absent compelling circumstances as described above, only listed documents can be used or relied on and only witnesses listed will be allowed to address the hearing panel. Witnesses will not be present during the questioning of any party or any other witness. The hearing panel may decline to hear from a witness if the testimony is determined to be repetitive, irrelevant or for other good reason. The hearing panel may ask questions of a witness at any time. Each party has the right to ask questions of each other's witnesses, after the calling party has completed his/her questions of the witness. After both parties and the hearing panel have concluded questioning the witness, the witness will be reminded that all testimony is confidential and that he/she is excused from the room and all associated areas related to the hearing.

4.10.6 All parties will be afforded a reasonable opportunity for oral opening and closing statements. The complainant will make his/her opening statement first, the respondent will follow.

4.10.7 The complainant has the burden to establish his/her complaint by a preponderance of the evidence. This standard means that the evidence supplied by the complainant or gathered during the investigation establishes that the events surrounding the complaint were more likely to have occurred than to not have occurred and further establishes a violation of this Sexual Harassment policy.

4.10.8 When all the evidence is presented and the hearing panel members indicate they have no further questions of either party or any of the witnesses, the hearing panel chair will adjourn the hearing; ensure that the tape recording has ceased, and initiate deliberations.

4.10.9 No later than three (3) business days following the conclusion of the hearing, absent extenuating circumstances, the hearing panel will make a recommended finding, by preponderance of evidence, as to whether or not this Sexual Harassment policy was violated. The hearing panel chair will complete the Hearing Panel Resolution Form (Exhibit B) and forward it to the President of the University of Houston-Downtown.

4.10.10 No later than fifteen (15) business days after receipt of the hearing panel's recommended finding by the CR/AAO, the President or designee will take one [or some combination] of the following actions and communicate his/her decision in writing to the complainant, the respondent, both parties' attorneys (as appropriate), and the CR/AAO:

- a) Accept the panel's recommended finding;
- b) Reject the panel's recommended finding; or
- c) Remand the case to the panel with instructions to reopen the hearing in the case, to conduct further deliberations.

4.11 Review by the President of UHD: The President's review does not include a new hearing or the review of new evidence. The intent of this review is to ensure that the hearing and recommended findings of the hearing panel were not arbitrary, capricious, or discriminatory, did not violate the rights of the parties and did not violate the concepts of fair play to both parties. The President's review is the final institutional step in the Sexual Harassment policy. However, nothing precludes the student or employee from filing a complaint with any external agency that investigates discrimination/harassment complaints. Copies of the final decision will be transmitted to the appropriate supervisor(s) of both parties and the CR/AAO.

Student Use of Alcoholic Beverages at UHD Policy PS 04.A.02

This PS sets forth regulations regarding the service, consumption, and distribution of alcoholic beverages to students at the University of Houston-Downtown (UHD). The University strictly adheres to all city, state, and federal laws governing the distribution and consumption of alcohol. The University is committed to the national initiative of preventing the abuse of alcohol.

Policies/Procedures

The legal drinking age in Texas is 21. Alcoholic beverages served on the UHD campus may be distributed and consumed by students of legal age only in areas designated by the Dean of Student Affairs. The use or possession of alcohol on any part of the university campus, other than a formally approved or designated area, is a violation of the Student Rights and Responsibilities Policy Statement 04.A.01.

The Dean of Student Affairs must be notified of the proposed sale and/or distribution of alcoholic beverages to students by any individual or organization at UHD and has the authority to approve or deny these activities.

Only licensed catering services approved by the Dean of Student Affairs may sell or distribute alcoholic beverages on the UHD campus.

Only registered student organizations will be allowed to conduct an event at which alcoholic beverages will be sold or distributed to students by the catering service or vendor.

The president or designated officer and the advisor of a registered student organization must read the Alcoholic Beverage Distribution Information form (Exhibit A) and must complete the request for Alcoholic Beverage Distribution Permit.

For a student organization, the completed Alcoholic Beverage Distribution Permit must be submitted to the Director of Student Activities at least four weeks before the date on which permission to serve alcohol is requested. The Director of Student Activities forwards a recommendation to the Dean of Student Affairs within five working days of submission.

The Dean of Student Affairs notifies the UHD Police Department when permission is granted to student organizations to hold an event at which alcoholic beverages will be distributed on the campus. The student organization receiving permission must make arrangements for police coverage directly with the UHD Police Department, not less than three (3) weeks prior to the event. The UHD Police Department will determine the number of police officers required for the event. Only UHD police officers or peace officers approved by the Chief of the UHD Police may be hired for the event. The sponsoring organization or department is responsible for payment of UHD police services.

State appropriated funds, student service fees, or University Center fees may not be used to purchase alcoholic beverages for any reason. Registered UHD student organizations may purchase alcoholic beverages for official student organization functions using funds which have been deposited into the student organization's agency fund account. Alcoholic beverages may not be served or consumed in any vehicle owned or operated by UHD.

Firearms Policy

It is a federal and state offense to possess or use any firearm, ammunition or illegal weapon on university property except as a duly authorized law enforcement officer or for legitimate classroom instruction.

Crime Awareness and Campus Security Policy PS 01.D.02

Purpose

This policy statement sets forth regulations regarding the communication of information in compliance with the federal Student Right to Know and Campus Security Act of 1990, Title 11, Crime Awareness and Campus Security. The University of Houston - Downtown (UHD) is committed to enhancing the well-being and security of its students, faculty and staff and of promoting broad awareness of safety procedures.

Policy/Procedures

UHD will collect specified statistical information on crimes committed on campus which involve murder, rape, robbery, aggravated assault, burglary and motor vehicle theft.

Definition of these crimes is based on the FBI Uniform Crime Report.

Timely reports will be made to the University community on crimes considered to be a threat to students and employees and reported to University or local police agencies. The UHD Police Department will notify the University community within 24 hours of any murder or rape which occurs on University property. Timely notification will be made as necessary in cases of aggravated assault, robbery and burglary. Information on campus crime, including motor vehicle thefts, will be compiled monthly and disseminated.

An Emergency Response Team will be designated to determine procedures for assuring timely notification and reports to the University community on campus crime.

The Emergency Response Team will include the President, Vice President for Administration, Executive Director of Institutional Advancement, Chief of Police, Vice President for Academic Affairs and Provost, Dean of Student Affairs and the President of the Student Government Association.

In the event of a serious crime, the Office of Communications and Marketing, in consultation with the Executive Council and the Chief of Police, will circulate periodic campus-wide follow-up reports to deans, department heads, the Faculty Senate Executive Committee, and the Student Government Association.

Beginning September 1, 1992, and continuing each year thereafter, the University will publish and distribute an annual report of Campus Security Policies and Crime Statistics to all current students and employees. Copies of the Annual Report also will be provided to any applicant for enrollment or employment upon request. The Annual Crime Statistics Report will be submitted to the Secretary of Education, as required by federal law. Pursuant to state law, the University will make available to the Texas Higher Education Coordinating Board the information required to be reported by the federal Student Right to Know and Campus Security Act for the previous year.

All inquiries from the media regarding campus crime shall be directed to the Office of Communications and Marketing. As an agency of the State of Texas, UHD will respond to requests for information regarding law enforcement and criminal activity on campus in accordance with the provisions of the Texas Public Information Act (formerly the Texas Open Records Act).

Safety Awareness

The University is committed to promoting safety awareness among students, faculty and staff. Safety awareness programs will be developed by the UHD Police Department and the Environmental, Health and Safety Office.

Drug and Alcohol Abuse Policy PS 01.A.05

The University of Houston-Downtown strictly adheres to all city, state and federal laws governing the distribution and consumption of alcohol. The university is committed to the national initiative of preventing the abuse of alcohol. The legal drinking age in Texas is 21. Alcoholic beverages served on the University of Houston-Downtown campus may be distributed and consumed by students of legal age only in areas designated by the chief student affairs officer. The use or possession of alcohol on any part of the university campus, other than a formally approved or designated area, is a violation of the Student Rights and Responsibilities Policy Statement 04.A.01 in the new UHD PS Handbook. Any requests regarding student use of alcoholic beverages at UH-Downtown must be directed to the chief student affairs officer.

Policy/Procedures

It is the policy of the University of Houston - Downtown (UHD) that the unlawful use, manufacture, sale, distribution, dispensation, or possession of any illicit drug in the workplace, on campus, or as part of any campus activities is prohibited. This policy includes alcohol except when its use is formally approved for a specific activity at a designated time and location. Sanctions imposed for violation of this policy are indicated below.

Any employee engaged in the unlawful possession, use, or distribution of illicit drugs or alcohol on campus or at campus sponsored events held off-campus will be subject to disciplinary action and referral to a drug and alcohol rehabilitation program, if deemed necessary. Disciplinary measures, to be imposed by the President, will include written reprimand, suspension without pay, or termination, depending on the severity of the infraction. Employees referred for assistance must satisfactorily participate in a drug and alcohol abuse rehabilitation program, as agreed upon between the employee, the Department of Human Resources, and Counseling and Testing Services.

Any student having violated UHD's Student Rights and Responsibilities policy (PS 04.A.01) regarding the unlawful possession, use or distribution of illicit drugs and alcohol on campus or at campus sponsored events held off-campus will be subject to disciplinary action and referral to a drug and alcohol rehabilitation program, if deemed necessary. The Dean of Student Affairs will enforce the disciplinary measures, as outlined in PS 04.A.01. Students referred for assistance must satisfactorily participate in a drug and alcohol abuse rehabilitation program, as agreed upon between the student, the Dean of Student Affairs, and Counseling and Testing Services.

Each employee and student will receive a copy of the Drug and Alcohol Abuse Prevention Policy and Procedures (Exhibit A). Employees will be required to sign receipt of the policy which will be retained in the personnel file. All new employees will be issued a copy of the policy upon employment with the University. A new receipt must be signed when significant changes in the policy occur.

Health Risks

The abuse of drugs or alcohol in the workplace can lead to a variety of serious consequences including: 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 all employees and students at risk of injury; and may lead to drug abuser 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 and alcohol is inconsistent with the behavior expected of members of a university community. The University of Houston - Downtown 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. A drug and alcohol abuse prevention program is in operation and accessible to all members of the campus community. The campus is committed to the further expansion of that program and the dissemination of drug awareness information to the members of the campus community. In addition, the campus is committed to enforcing the provisions of the Drug Free Workplace Act of 1988 and the Drug Free School and Communities Act of 1989 and believes that these acts and their implementation regulations provide a proper framework for the drug and alcohol abuse policies of the campus.

Penalties for Violation of Policy

The Drug and Alcohol Abuse Prevention Policy and Procedures is a protection and support for the employees and students of the University of Houston - Downtown. Any employee or student seeking assistance through the services offered by Counseling and Testing will be treated in a confidential manner. However, being in treatment does not shield either the employee or the student from disciplinary action if the policy is subsequently violated. Therefore, the employee or student violating this policy is subject to the following actions:

Any employee or student admitting to or convicted of the unlawful possession, use, or distribution of illicit drugs and alcohol on campus or at campus sponsored events held off campus will be subject to disciplinary action.

Employees and students may be referred to a drug and alcohol assistance or rehabilitation program in which they must maintain satisfactory participation.

Employees may be subject to disciplinary action up to and including suspension, suspension without pay, and termination, and may be referred for prosecution.

Students in violation of the University of Houston - Downtown's Student Disciplinary Policies and Procedures may be subject to disciplinary action up to and including probation, suspension, and expulsion, and may be referred for prosecution.

Further information concerning disciplinary action and appropriate procedures for employees is available from the Human Resources Department at (713) 221 - 8060 and for students from the Dean of Student Affairs Office at (713) 221 - 8100.

Employee and Student Assistance Program

The University of Houston - Downtown faculty, staff, and students can benefit from services offered through the Counseling and Testing Services' (CTS) program entitled "Preventing the Abuse of Substances and Self" (PASS). PASS is co-funded by a grant from the Department of Education's Fund for the Improvement of Post-Secondary Education (FIPSE).

PASS services are specifically aimed at prevention of alcohol/drug abuse and other addiction-related behaviors and consist of free substance abuse-related information, education, consultation, assessment, individual counseling, group counseling, workshops, and referral services. All PASS services are free of charge.

Information Drug and alcohol information is made available to faculty, staff, and students at CTS, Student Health Services (SHS), and at various sites throughout campus. Educational materials are screened, purchased, or developed for distribution on-campus.

Education Educational presentations are provided to faculty, staff, and students throughout the academic year, especially during events such as: National Collegiate Alcohol Awareness Week, National Collegiate Drug Awareness Week, Mental Health Awareness Week, and Wellness Week.

Consultation Faculty, staff, or student can consult with CTS professional staff regarding prevention and management of substance abuse problems of their significant others, employees, students, colleagues and peers.

Assessment Faculty, staff, and students will be assisted in evaluating their alcohol and drug use and the effects of such use in all areas of their life (work, academic, personal, emotional, physical, mental and spiritual).

Individual Counseling Short-term, goal-oriented individual counseling is available to any faculty, staff, or student who has problems with alcohol or drug use or is affected by someone else abusing substances.

Group Counseling Specialty groups dealing with the prevention and management of dysfunctional addictive behaviors are available to faculty, staff and students. Examples of these are: Adult Children of Alcoholics/Dysfunctional Families (ACOA/D), Co-dependency, and Alcohol and Drug Awareness. Other specialty groups will offer counseling and services based on identified needs.

Workshops A variety of psycho-educational workshops will be offered every semester to faculty, staff, and students to assist them in developing skills which help them become more effective in their work, academic, and personal lives. Examples of topics are:

Assertiveness Training
Stress Management
Effective Communication Skills
Time Management
Relationship Skills Test
Anxiety

Referral Whenever appropriate, faculty, staff and students will be referred to other university departments/resources or public and private agencies in the Houston community such as Twelve-step Support Groups which include Alcoholics Anonymous (AA), Alanon, Cocaine Anonymous (CA), Narcotics Anonymous (NA), Codependents Anonymous (CODA), and Overeater's Anonymous (OA). An extensive list of alcohol and drug abuse services is available at Counseling and Testing Services (CTS), 390-North, (713) 221 - 8132 and at the Student Health Services (SHS), 358-North, (713) 221 - 8137.

Application of Policy

The Drug and Alcohol Abuse Prevention Policy is supported by a drug free awareness and alcohol education program available to faculty, staff, and students of the University of Houston - Downtown. Specific compliance and reporting items enumerated in the policy are applicable to all persons employed on federal contracts and grants.

In support of this policy, the University of Houston - Downtown:

- A. Has established a drug and alcohol free awareness program to inform its faculty, staff, and students about (1) the campus policy of maintaining a drug and alcohol free workplace, (2) the dangers of drug and alcohol abuse in the workplace, (3) the availability of drug counseling/rehabilitation, (4) the development of employee assistance programs, and (5) the penalties that may be imposed upon employees for drug and alcohol abuse violations.
- B. Will provide each 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 campus employee and each student employee that, as a condition of employment on a federal grant or contract, the person, once so employed, must abide by the terms of the policy, and must notify the supervisor and the Human Resources Department 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 of any campus employee engaged in performance of the grant or contract.
- E. Will impose sanctions on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program, by any employee so convicted. Sanctions imposed on employees for violation of this policy may include suspension, suspension without pay, and termination.
- F. Will make a good faith effort to continue to maintain an environment that complies with the Drug Free Workplace Act 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 Human Resources Department, the Office of the President, the Police Department, and the Division of Student Affairs. Notification of the program, including information about risks and sanctions for violation of the policy, will be provided annually to students and employees. In addition, the University of Houston – Downtown is committed to monitoring and assessing the effectiveness of this program. A biennial review of the program will be undertaken to determine its effectiveness and implement changes to the program if they are needed and ii) ensure that its disciplinary standards are consistently enforced.

Access to Facilities

University Police are responsible for securing campus facilities. Please note the hours of operation for each of the following campus buildings:

Academic Building Monday-Thursday 5:30am-10:30pm* Friday 5:30am-6:00pm* Saturday & Sunday- Hours vary. Please check with UHD Police.

Commerce Street Building** Monday-Thursday 6:30am-9:15pm* Friday 7:45am-5:00pm* Saturday & Sunday-CLOSED

One Main Building Monday-Thursday 5:30am-10:30pm* Friday 5:30am-6:00pm* Saturday & Sunday- Hours vary. Please check with UHD Police.

Shea Street Building** Monday-Thursday 6:30am-9:30pm* Friday 6:30am-5:00pm Saturday & Sunday- CLOSED

Jesse H. Jones Student Life Center** Hours vary by semester. Call 713-221-8225 for information.

*Closing hours for any and/or all facilities may be altered at times to accommodate special university events, special lab hours, etc. For access to facilities after hours, please contact Police personnel in Suite 118-North of the One Main Building or call 713-221-8065. Access to the Police Department is available 24 hours a day.

A reminder to students, faculty and staff that during holiday(s) periods, access to the University of Houston-Downtown is limited through the UH-Downtown Police Department. All person(s) entering are requested to sign in and out.

**Access to the Student Life Center, Commerce Street Building and Shea Street Building, during holiday period(s), is limited to faculty/staff with valid access codes to enter such facility.

UHD Police will not provide access codes to faculty/staff to enter these facilities for any reason including codes misplaced and/or forgotten.

Emergency Response and Evacuation Procedures

UHD Police officers and supervisors have received training in Incident Command and Responding to Critical Incidents on Campus. When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually the UHDPD, Houston PD, Harris County SO and/or Metropolitan Transit Authority PD and the Houston Fire and Emergency Medical Services, and they typically respond and work together to manage the incident. Depending on the nature of the incident, other UHD departments and other local or federal agencies could also be involved in responding to the incident.

General information about the emergency response and evacuation procedures for UHD are publicized each year as part of the institution's Clery Act compliance efforts and that information is available on the UHDPD web site.

All members of the UHD Community are notified on an annual basis that they are encouraged and required to notify the University of Houston-Downtown Police Department (UHDPD) of any situation or incident on campus that involves a significant emergency or dangerous situation that may involve an immediate or on going threat to the health and safety of students and/or employees on campus. UHDPD has the responsibility of responding to, and summoning the necessary resources, to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation. In addition, the University of Houston-Downtown Police Department has a responsibility to respond to such incidents to determine if the situation does in fact, pose a threat to the community. If that is the case, Federal Law requires that the institution immediately notify the campus community or the appropriate segments of the community that may be affected by the situation.

CONTINGENCY PLAN MAJOR EMERGENCY GUIDELINES

A. PURPOSE

The Contingency Plan for Emergencies is predicated on a realistic approach to the problems likely to be encountered on a campus during a major emergency or disaster. Hence, the following are general guidelines:

1. An emergency or a disaster may occur at any time of the day or night.
2. The succession of events in an emergency are not predictable, hence, published support and operational plans will "serve only as a guide" and a checklist, and may require field modification in order to meet the requirements of the emergency.
3. Disasters may affect residents in the geographical location, therefore, city, county, and federal emergency services may not be available. A delay in off-campus emergency services may be expected up to 72 hours.
4. A major emergency may be declared if information indicates that such a condition is developing or is possible.

The basic emergency procedures contained herein are provided in order to enhance the protection of lives and property through effective use of University and community resources. Whenever an emergency affecting the University reaches proportions THAT CANNOT BE HANDLED BY ROUTINE MEASURES, the President and/or Campus President or designee may declare a state of emergency and these contingency guidelines may be implemented. There are two general types of emergencies that may result in the implementation of this plan. These are (1) large-scale disorder, and (2) large-scale natural/man-made disaster. Since an emergency may be sudden and without warning, these procedures are designed to be flexible in order to accommodate contingencies of various types and magnitudes.

B. SCOPE

These procedures apply to all personnel employed by and property of the University of Houston - Downtown.

C. AUTHORITY

This plan was developed to assist university employees when a crisis situation arises.

D. TYPES OF EMERGENCY PROCEDURES

Types of emergencies covered in this Emergency Response Plan are as follows:

- Evacuation and Shelter in Place Procedures

1. Building Evacuation

2. Campus Area Evacuation

3. Shelter in Place

- Crisis (Emergency) Procedures

1. Bomb Threat

2. Chemical and/or Radiation Spill

3. Child Abuse Reporting

4. Civil Disturbance or Demonstrations

5. Death of a Student/Faculty/Staff on Campus

6. Drug and Alcohol Abuse

7. Explosion, Aircraft Down (Crash) On Campus

8. Gang Related Activated

9. Gas Leaks

10. Illness and Injury (Medical and First Aid)

11. Nuclear Preparedness

12. Physical or Mental Abuse

13. Power Failures

14. Psychological Crisis

15. Suspicious Person In or Around Campus

16. Toxic Fume Release (Off Campus)

17. Vehicular Accidents (University Owned)

18. Violent or Criminal Behavior

19. Weapons, Suspicion or Possession of

- Natural Disaster Procedures

1. Severe Weather Emergency Preparedness (Hurricane, Tornado)

2. Earthquake

- Media Relations Crisis Procedures

E. DIRECTION and COORDINATION

1. EMERGENCY DIRECTOR

The President assisted by his/her designee when necessary shall direct all emergency operations.

In the absence of the President, the authority to act will pass to authorized representatives in the following order:

- a. The Vice President for Academic Affairs and Provost

- b. Vice President for Administration

- c. Dean of Students

2. EMERGENCY COORDINATOR

The direct operational control during a major emergency or disaster is the sole responsibility of the Police Chief, or designee.

3. EMERGENCY COMMAND POST

When an emergency occurs, or is eminent, it shall be the responsibility of the Police Chief to set up and staff an appropriate Emergency Command Post as directed.

- a. GENERAL EMERGENCY COMMAND POST

If the emergency involves a large part of the campus, the Command Post is to be set up in a predetermined building on campus.

- b. FIELD EMERGENCY COMMAND POST

If the emergency involves only one building or a small part of the campus, a police vehicle is to be placed as near the emergency scene as is reasonably possible. At least one uniformed officer is to staff the command post at all times or until the emergency ends. A

small office with a desk, chair, and telephone may also be required near the scene. Field Emergency Command Post equipment should include:

1. Barricades, barrier tapes, and signs for the scene
2. Two portable radios
3. Portable public address system (bullhorn)
4. First aid kit
5. Campus and City of Houston telephone directories
6. Contingency Plan for Emergencies Manual
7. DOT Emergency Response Guide Book

The Police Chief shall establish a marshaling area for outside and local agency assistance and/or Assistant Chief for operations of the combined on-site emergency response team. A conference room with facilities for emergency teams or media crews, and which is designed to accommodate multiple telephone and/or electrical appliances is desirable.

F. DEFINITION OF EMERGENCY AND DISASTER

The UHD Police Chief will serve as the overall Emergency Coordinator during any major emergency or disaster. Damaged areas will be immediately closed off while rescue efforts and firefighting activities are conducted. The injured will be taken to the designated local hospitals. The following definitions of an emergency are provided as guidelines to assist building and area coordinators in determining the appropriate response:

1. **EMERGENCY:** is any incident, potential or actual, which affects an entire building or buildings, or human life or well being and which will disrupt the overall operation of the district.
 2. **DISASTER:** is any event or occurrence, which has taken place and has seriously impaired or halted the operations of a campus or entire University.
 3. **MEDIA RELATIONS CRISIS:** is any incident, which has the potential for adverse publicity concerning operation should be promptly, reported to the Director of Institutional Advancement.
- NOTE: Emergency services will probably be required from the administration during times of crisis. Report to Vice President for Administration and Chief of Police. In some cases, mass casualties and severe property damage may be sustained. A coordinated effort of all resources is required to effectively control the situation. Outside emergency services will be essential. In all cases of disaster, an Emergency Command Post will be activated, and the appropriate support and operation plans will be executed.

G. DECLARATION OF CAMPUS STATE OF EMERGENCY

The authority to declare a campus state of emergency rests with the President or his/her designee, as follows:

The President and designee shall immediately consult with the Police Chief (Emergency Coordinator) or designee regarding the emergency and the possible need for a declaration of a campus state of emergency.

During the period of any campus major emergency, the Emergency Coordinator as required, shall place into immediate effect the appropriate procedures necessary to meet the emergency, safeguard persons and property, and maintain educational facilities.

SOURCES OF ASSISTANCE DURING EMERGENCIES

A. ON-CAMPUS ASSISTANCE

1. **Police Services** are available twenty-four hours per day, seven days per week, and may be reached by dialing (713) 221-8911 in an emergency situation.

2. **Physical Plant:** In the event of a natural disaster, in which major structural damage is sustained, maintenance personnel will turn off hazardous utilities; i.e., electricity and natural gas. Skilled workers are available from maintenance personnel at all times during normal working hours and on short notice, at other times. They are capable of providing the following emergency services:

- a. Utilities: Repairs to water, gas, electric and sewage systems.
- b. Structures: Temporary repairs to structures and mechanical equipment therein, including heating and cooling systems.
- c. Equipment: Portable pumps, generators, floodlights, welders, air compressors, etc.
- d. Transportation: Light trucks.

Physical Plant, along with the Police Department, should coordinate with each other to insure notification of fire detection and telecommunication contractors.

3. **Purchasing Department:**

Emergency procurement of materials and services can be arranged in direct support of any district emergency.

4. **Receiving:**

Emergency dispersal of stored materials.

B. OFF-CAMPUS ASSISTANCE

• Emergency Resource Telephone Numbers*

Emergency*911
Fire Department*911
Sheriff's Department*911

Hospital (Emergency)*911
 Ambulance/Emergency Medical Services *911
 Hazardous Material Spill (Eagle Construction and Environmental)... (800) 336-0909
 Texas Natural Resources Conservation Commission (713) 767-3563
 Texas Department of Health (512) 458-7111
 Poison Control Center (800) 764-7661
 American Red Cross
 Greater Houston Area (713) 526-8300
 National Weather Service (281) 337-5074
***Remember to Dial 9 for an outside line and always give the operator your exact location.**
 (Phone Numbers verified 12/8/99)

EMERGENCY PROCEDURES

This section contains procedures to be followed during specific types of emergencies. The procedures should always be followed in sequence, unless conditions dictate otherwise.

A. EVACUATION and SHELTER-IN-PLACE PROCEDURES

1. Building Evacuation
2. Campus Area Evacuation
3. Shelter-In-Place

B. CRISIS (EMERGENCY) PROCEDURES

1. Bomb Threat
2. Chemical and/or Radiation Spill (On-Campus)
3. Civil Disturbance or Demonstration
 - Non-violent, Disruptive Demonstrations
 - Violent Disruptive Demonstrations
4. Death of a Student/Faculty/Staff on Campus
5. Drug and Alcohol Abuse
6. Explosion, Aircraft down (Crash) on Campus
7. Fire
8. Gang Related Activity
9. Gas Leaks
10. Illness and Injury (Medical and First Aid)
11. Nuclear Preparedness
12. Physical and Mental Abuse
13. Power Failures
14. Psychological Crisis
 - Suicide
 - Homicidal
15. Suspicious Person In or Around Campus
16. Toxic Fume Release (Off-Campus)
17. Vehicular Accidents (College Owned)
18. Violent or Criminal Behavior
19. Weapons, Suspicion or Possession of

C. NATURAL DISASTER PROCEDURES

1. Severe Weather Emergency Preparedness
 - General Hurricane Plan
 - Hurricane Procedures for Essential Personnel
 - General Tornado Plan
2. Earthquake

D. COMMUNICATIONS & PROMOTIONS CRISIS PROCEDURES

1. Guidelines

47

EVACUATION and SHELTER-IN-PLACE PROCEDURES

BUILDING EVACUATION

When a notice to evacuate is received or upon notification by the Police Department, Campus President or Campus Administration...

Stop what you are doing and walk; DO NOT RUN, to the nearest stairwell and wait for further instructions via the audible alarm system.

If an "ALL CLEAR" announcement is given return to work.

OR

If you are instructed to evacuate the building via the audible alarm system proceed down the stairwell to the nearest floor, which exits the building, and from here proceed to the designated safe area for your group and wait for further instructions.

Evacuation Tips

1. If you are working in an area other than your regular area, follow the instructions of the fire warden for the area you are located. Do not attempt to return to your regular work area, if an emergency is announced.

2. Do not use elevators in any emergency situation.
3. Take personnel belongings such as your purse, coat, or car keys, if they are obtained quickly.
4. Office doors should be closed, but not locked when personnel exit.
5. Listen to instructions from the area fire wardens or those provided via the public address system.
6. Regroup with your coworkers or classmates in the designated safe area so that your presence can be accounted for. Because of the possibility of flammables, Do Not Smoke in a designated safe area.
7. Do not reenter any building until the "All Clear" signal is announced by an official.
8. After the "All Clear" signal is received, return to your work area via the stairwells.

DO NOT RETURN TO AN EVACUATED BUILDING unless told to do so by an official.

CAMPUS AREA EVACUATION

- Evacuations of all or part of the campus grounds will be announced by the UHD President and/or designee.
- All persons are to immediately vacate the area in question. Instructors and their designees are responsible for aiding handicapped persons. Patrol cars will announce and direct traffic off campus.

48

SHELTER-IN-PLACE

- Go inside building
- Close all windows and doors
- If radio or television is available, turn on for continuous updates
- If eyes, nose, or throat become irritated protect your breathing by covering your mouth with a damp cloth, take frequent shallow breaths and stay calm.

Do not leave the building until you receive official notification that the danger has passed.

NOTE: STAY IN THE AREA DIRECTED UNTIL OFFICIAL NOTIFICATION TO REENTER

Shelter-in-Place Procedures--What it Means to "Shelter-in-Place"

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to "shelter-in-place" means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

Basic "Shelter-in-Place" Guidance

If an incident occurs and the building you are in is not damaged, stay inside-seeking an interior room-until you are told it is safe to come out. If your building is damaged, take your personal belongings (purse, wallet, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest University building quickly. If police or fire department personnel are on the scene, follow their directions.

How You Will Know to "Shelter-in-Place"

A shelter-in-place notification may come from several sources, including the UHD Police, other University employees, Houston Police Department, Harris County Sheriff's or other law enforcement authorities utilizing the University's emergency communications tools.

How to "Shelter-in-Place"

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise; follow these steps, unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene
2. Locate a room to shelter inside. It should be:
 - An interior room;
 - Above ground level; and
 - Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms maybe necessary.
3. Shut and lock all windows (tighter seal) and close exterior doors.
4. Turn off air conditioners, heaters, and fans.
5. Close vents to ventilation systems as you are able. (University staff will turn off ventilation as quickly as possible.)
6. Make a list of the people with you and ask someone (staff, faculty) to call the list in to UHD Police so they know where you are sheltering. If only students are present, one of the students should call in the list.
7. If available, turn on a radio or TV and listen for further instructions.
8. Make yourself comfortable.

