

Memo to: All UH-Downtown/PS Holders
From: Juan Sánchez Muñoz, President
Subject: Campus Anti-Violence Policy (Interim)

UH-Downtown/PS 02.A.29
Issue No. 1
Effective date: April 21, 2017
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1. PURPOSE

The University of Houston-Downtown is committed to protect people and property, reduce fear and stress, maintain the campus and classroom as productive and safe environments, and establish a consistent process for responding to and managing incidents of violence or behavior or concern at the University.

This interim policy applies to all faculty, staff, students, visitors, and contractors who are on University owned or leased facilities, as well as incidents involving University employees or students participating in a University-sponsored activity at other locations.

Alleged incidents involving sexual misconduct, domestic violence, dating violence, or stalking are addressed in [SAM 01.D.08, Sexual Misconduct Policy](#).

2. DEFINITIONS

- 2.1 Assistant Dean of Student Affairs (ADSA): The ADSA, or ADSA designee, is the person responsible for conducting an administrative investigation of reports of campus violence involving students and rendering a finding regarding the complaint.
- 2.2 Employee Relations Coordinator (ERC): The ERC, or ERC designee, is the person responsible for conducting an administrative investigation of reports of campus violence involving employees and rendering a finding regarding the complaint.
- 2.3 Behavior Intervention Team (BIT): A multi-disciplinary group established to support faculty, staff, and students to assess patterns of questionable behavior in individuals and groups.
- 2.4 Threat: An intent and ability to inflict physical or other types of harm on any person, self or on property. Threats may be oral, written, or physical and typically fall into three categories: Direct, Conditional, or Veiled.
 - 2.4.1 Direct Threat: Threats against a specific target, sometimes describing methods for committing violence.
 - 2.4.2 Conditional Threat: Threats that are contingent upon a certain set of circumstances (often uses the “if” term).
 - 2.4.3 Veiled Threat: Threats that are vague and subject to multiple interpretations.

- 2.5 Unlawful Weapon: Any objects that may be used to intimidate, attack, or injure another person or to damage property, including prohibited handguns. Possession of a handgun is only allowed in specific areas of the University, as stated in [PS 01.A.16, Campus Carry Policy](#).
- 2.6 Violence and Behaviors of Concern: This includes, but is not limited to, verbal or non-verbal behavior that can be construed as intimidating, threatening or hostile, physical or verbal abuse, harassment, stalking, vandalism, arson, sabotage, use of weapons, unlawful possession of weapons on University property, the threat of any of the above, or any other act inconsistent with this policy.

3. POLICY

- 3.1 It is a violation of the law, and of this interim policy, to intentionally, knowingly, or recklessly cause physical harm to another person; to intentionally or knowingly threaten someone with physical injury; or to touch another person in a way the individual knew would be considered offensive or provocative. [[Texas Penal Code 22.01](#)]
- 3.2 The University of Houston-Downtown will not tolerate physical or non-physical acts of violence or behaviors of concern. All alleged violations of this policy will be promptly reviewed to determine whether further investigation is necessary.

This interim policy also prohibits all firearms and other weapons, defined as prohibited by the Texas Penal Code, on property owned or occupied by the University, except as permitted by the [Texas Labor Code, Chapter 52, Subchapter G](#) and [Texas Government Code, Chapter 411, Subchapter H](#).

- 3.3 University administration will take action, as appropriate, to address campus violence and other behaviors of concern. The University will also make counseling, training, and education regarding violence, threats of violence, and violence prevention available to managers, employees, and students, as needed.

University offices with primary roles in responding to matters of campus violence include:

- UHD Police Department (UHDPD)
 - Academic Affairs and Provost Office
 - Dean of Students Office
 - Student Affairs and Enrollment Services
 - Administration and Finance (A&F)
 - Employment Services and Operations (ESO)
 - Student Counseling Services
 - Student Health Services
- 3.4 UHDPD should be kept informed of acts of violence and potential violence at the University. Every employee or student who is contacted about, or has knowledge of, a

threat of violence or a violent act at the University or while on University business should immediately contact the UHDPD, who will respond in accordance with this policy and existing UHDPD policies and procedures.

UHDPD will promptly submit incident reports to the Dean of Students Office in all cases involving students and to the Vice President for Employment Services and Operations for all incidents involving staff, faculty or student employees.

- 3.5 The University will take seriously allegations of campus violence and will take prompt disciplinary action against any individuals within its control who violate this policy.

UHD aims to eradicate campus violence through education, training, policies, and serious consequences for violations of its policies. The University will conduct educational programs, including ongoing prevention and awareness campaigns designed to promote awareness and prevention of the prohibited behavior.

4. PROCEDURES

- 4.1 Immediate Threats or Acts – A University employee, student, or visitor experiencing or aware of a threat or act of violence should immediately contact UHDPD by calling 911 or 713-221-8911 or, depending upon the urgency, UHDPD’s non-emergency number 713-221-8065.

Even if in doubt about the urgency or the threat of violence, UHDPD should still be contacted. The Chief of Police, or a designee, will determine whether to immediately assemble the BIT.

- 4.2 Less Immediate Threats – When an employee or student is faced with or aware of a situation in which a less immediate threat of violence may exist, the matter should be referred immediately to the appropriate responsible office. It is always an appropriate option to contact UHDPD to ensure that the matter is not an immediate threat.

If the less immediate threat of violence involves:

- Faculty – Contact the [Office of Academic Affairs and Provost](#).
- Staff – Contact [ESO](#).
- Students – Contact the [Assistant Dean of Student Affairs](#) and/or complete a [Student Conduct Incident Report Form](#).

Depending upon the situation, any of these offices may submit a request to the Chief of Police, or designee, who will determine whether any additional immediate action may be taken. Anonymous reports may also be filed through [MySafeCampus](#).

- 4.3 [BIT](#) – When a department, employee, student, or other individual has information about a student exhibiting concerning behavior, the matter can be [reported to BIT online](#) or with a [Student Conduct Incident Report Form](#).

- 4.4 Individuals who believe that they may have experienced violence in any form but are uncertain as to whether a complaint is justified, may discuss their concerns confidentially with the ERC, if an employee, or the ADSA, if a student.
- 4.5 If a supervisor receives a complaint, they must report it to the ERC immediately. When deemed appropriate, the ERC will work with the supervisor to facilitate a resolution of campus violence complaints at the local level.

If a faculty member, department chair, or dean receives a complaint from a student, they must report it to the ADSA or BIT immediately.

- 4.6 Alleged violations of this policy should be communicated to the University's ERC or ADSA, as appropriate. Any allegations of campus violence must be made in writing and include specific examples of conduct directed at the victim and how the victim's work, life, or study was impacted by the conduct. The complaint must be filed within 180 calendar days of the last alleged harmful act.
- 4.7 Upon receiving a written allegation of campus violence, the ERC or ADSA will assess the allegation to determine if the alleged misconduct falls within its definition of campus violence and whether it is sufficiently supported by creditable and specific facts to warrant the initiation of complaint resolution procedures. This policy doesn't prohibit, for example, conduct that might be rude or inconsiderate but is not severe, pervasive, or persistent. However, such conduct could fall short of reasonable expectations for behavior toward others and be addressed by unit leadership as a matter of appropriate performance.
- 4.8 Upon receipt of a complaint of campus violence at UHD, the ERC, ADSA, or ERC or ADSA designee will lead an investigation of the complaint by taking the following steps:
- A. Determine whether the complaint is one which should be processed through another UHD dispute resolution procedure, such as mediation or grievance hearing, available to the complainant and, if appropriate, the ERC or ADSA shall refer the complainant to that procedure(s) as soon as possible.
 - B. Inform the complainant of the provisions of the campus violence complaint procedures, and inform the respondent of the existence of the complaint.
 - C. Obtain information and evidence, including the identity of any witnesses, from the complainant and the respondent.
 - D. Attempt to obtain information from the identified witnesses.
 - E. Maintain appropriate documentation.

- F. Disclose appropriate information to others only on a need-to-know basis consistent with state and federal law.

During this process, the ERC will keep the Vice President for Employment Services and Operations (VPESO) informed of the status of the complaint and will recommend corrective action, if needed, to the VPESO. The VPESO will inform the appropriate supervisor/manager/administrator of the outcome of the investigation and the recommended corrective action.

If the complainant and respondent are students, this process will be directed by the ADSA in accordance with [PS 04.A.01, Student Rights and Responsibilities](#) policy.

If the complaint involves an employee and a student, the investigation will be conducted jointly by the ERC and ADSA.

- 4.9 Any complaint of campus violence or threat of violence will require inclusion of UHDPD in the investigation and resolution of the complaint. In some instances, UHDPD will take command of the complaint, such as in the following examples:

- A. Suggesting intent to harm self or others.
- B. Intimidating other faculty, staff, students, and/or visitors at UHD.
- C. Stalking or following someone with the intent to harass, intimidate, harm, cause other malicious activity, or acting in a frightening or threatening manner.
- D. Assaulting someone or threatening assault.

UHD reserves the right to investigate and resolve a complaint or report of campus violence regardless of whether the complainant ultimately desires to pursue the complaint.

- 4.10 UHD will make efforts to protect victims of campus violence by offering all feasible security measures. Victims may also need special accommodations or adjustments to their work/class schedule, work/class location, or working/academic conditions in order to enhance their safety. UHD will accommodate these requests and needs whenever possible and appropriate. UHD will work closely with victims to assure that both the needs of the victims and UHD are addressed.
- 4.11 During the investigation, the ERC and/or ADSA will maintain confidentiality of the information gathered to the extent permitted by state and federal law. The ERC and/or ADSA shall exercise due care in sharing identifiable information about faculty, staff, students, and others involved.
- 4.12 The ERC or ADSA will make a finding within sixty (60) business days from receipt of the complaint. If additional time is needed to complete the investigation, the ERC

will request an extension from the VPESO and the ADSA from the Vice President for Student Affairs. The ERC or ADSA will issue the findings concurrently to the complainant and the respondent in writing. The ERC or ADSA will also notify the appropriate University administrator of the finding and any recommended University action.

For employees, the appropriate University administrator will, within 10 working days, render a final determination in the matter and notify all parties. Faculty may grieve an adverse decision or action in accordance with [PS 10.A.02, Faculty Grievance Policy](#). Staff may appeal an adverse decision or action in accordance with [PS 02.B.03, Discipline and Dismissal of Regular Staff Employees Policy](#) and [PS 02.B.01, Staff Grievance Policy](#). The protocol for cases involving students, including any rights that may be appealed, may be found in [PS 04.A.01, Student Rights and Responsibilities](#) policy.

4.13 Violations of this policy will result in sanctions up to, and including, termination of employment, expulsion from the University, and/or criminal charges. The determination of the appropriate sanctions and the appeal of any sanctions will be handled by the responsible office under the applicable policy.

- Students - Dean of Students Office ([Student Rights and Responsibilities](#) policy)
- Staff – ESO ([Discipline and Dismissal of Regular Staff Employees Policy](#) and the [Staff Grievance Policy](#))
- Faculty - Office of Academic Affairs and Provost ([Faculty Grievance Policy](#))

The UHDPD will be involved in determining if criminal charges must be filed.

Visitors may be escorted off campus, barred from campus as well as any other facility owned or leased by UHD, and/or criminal charges filed.

5. EXHIBITS

There are no exhibits associated with this policy.

6. REVIEW PROCESS

Responsible Party: (Reviewer): Vice President for Employment Services and Operations

Review: Every three years on or before May 1st.

Signed original on file in Employment Services and Operations.

7. POLICY HISTORY

No prior issues of this policy.

8. REFERENCES

[PS 01.A.16](#)

[PS 02.B.01](#)

[PS 02.B.03](#)

[PS 04.A.01](#)

[PS 10.A.02](#)

[PS 10.A.06](#)

[SAM 01.D.08](#)

[MAPP 02.08.01](#)

[Texas Penal Code 22.01](#)

[Texas Labor Code, Chapter 52, Subchapter G](#)

[Texas Government Code, Chapter 411, Subchapter H](#)