

## **Chapter VIII Special Focus on Campus Security**

When conducting a review that focuses on compliance with the Campus Security Act, the annual security report will be a major item to review. Also see Item 2 in Chapter IV for additional information on reviewing campus security.

### **A. Annual Security Report – Contents**

Reviewers should ask for a copy of the institution's most recent annual security report, as well as copies of the two preceding reports. Reviewers should check the reports' completeness and that they are prepared in accordance with the regulatory requirements. The annual security report must contain crime statistics for the three previous calendar years and must contain the required policy statements outlined in 34 CFR 668.46(b).

#### **1. Crime Statistics**

The crime statistics must disclose crimes that are reported to local police agencies or to a campus security authority in the following categories, by location of occurrence:

- on-campus (along with a sub-category of the number of crimes that took place in dormitories or other student housing on campus)
- in or on a non-campus building or property
- on public property

The regulations require institutions to comply with the campus security reporting requirements for each separate campus.

An institution may have a campus map available to define the boundaries of campus property and to identify non-campus building/property. If an institution has a campus police force, maps or other documents should exist which outline the campus or jurisdictional boundaries of that police force. If a question arises concerning the boundaries of an institution's campus, there should be insurance documents or property deeds that delineate the campus boundaries. Reviewers might check for these documents in the office that handles the physical plant or the dean of operations.

The Higher Education Act (HEA) requires schools to report occurrences of manslaughter in addition to murder. The annual security report should include a category of "criminal homicide," with sub-categories of (1) murder and non-negligent manslaughter and (2) negligent manslaughter. Also, institutions must report incidents of arson.

The HEA also requires statistics of arrests for liquor law, drug law and weapons possession violations to be disclosed for the **three** most recent years. Schools must also disclose the number of persons who were referred for campus disciplinary action for liquor law, drug law and illegal weapons possession.

The annual security report must disclose, by category of prejudice, which of the reportable crimes (**AND** any other crime involving bodily injury) show prejudice based on race, gender, religion, sexual orientation, ethnicity or disability.

In addition to checking the actual annual security reports, reviewers should check to see that the institution has documentation to support the statistics for the calendar years covered by the current report as well as the two preceding annual security reports.

For example, the October 1, 2000, annual security report was required to disclose crime statistics from the 1999, 1998 and 1997 calendar years. As of that date, under the record retention requirements of 34 CFR 668.24, the institution was required to retain the annual security reports from the three preceding years (in this example, the reports for September 1, 1999, September 1, 1998 and September 1, 1997). The September 1, 1997 report must disclose crime statistics for the 1996, 1995, and 1994 calendar years. Therefore, the institution would need to keep the records supporting the incidents reported in the 1994 calendar year crime statistics until October 1, 2000.

Note: A crime statistic is recorded in the annual security report for the calendar year in which the crime was **reported** to a campus security authority, not the calendar year in which the crime occurred.

## **2. Campus Security Authority**

A campus security authority could include any of the following:

- a. A campus police department or campus security department of an institution.
- b. Any individual(s) who have responsibility for campus security but who do not constitute a campus police department or campus security department (i.e., an individual who is responsible for monitoring the entrance into institutional property).
- c. Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- d. Any institutional official having significant responsibility for student and campus activities. This could include officials in such areas as student housing, student discipline, and campus judicial proceedings.

Note: If an official is a pastoral or professional counselor, the individual is not a campus security authority when he or she acts as a pastoral or professional counselor. The annual security report statistics do **not** have to include crimes reported to pastoral or professional counselors. *The annual security report should, however, describe any procedures the institution has that encourage pastoral or professional counselors, if and when they deem it appropriate, to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the crime statistics.*

### **3. Policy Statements**

The annual security report must contain the required policy statements outlined in 34 CFR 668.46(b). [34 CFR § 668.46, Student Assistance General Provisions](#) Among other things, the regulations require an institution to include in its annual security report the institutional policies for preparing the disclosure of crime statistics. The regulations also require an institution to list in its annual security report the titles of each person or organization to whom students and employees report criminal offenses.

#### **B. Annual Security Report – Method of Distribution**

Reviewers should check the institution's method for distributing its annual security report. The regulations require the report to be distributed to all enrolled students and current employees by October 1 of each year.

Current students and employees must receive the annual security report through (1) direct mail to each individual, or (2) a publication provided directly to each individual, or (3) posting the information on an Internet or Intranet website.

Prospective students and employees must be given notice that includes a statement of the report's availability, a description of its contents, and an opportunity to request a copy. A copy must be provided upon the request of a prospective student or employee.

The information distributed to prospective students would likely be found in the school's admissions office. The information distributed to prospective employees would likely be located in the human resources department.

If the annual security report is posted on an Internet or Intranet website:

- The institution must distribute a notice to current students that includes (1) the exact electronic address at which the information is posted, and (2) a statement that the institution will provide a paper copy of the information upon request.

- The notice to current employees must include (1) a statement of the report's availability, (2) the exact electronic address at which the report is posted, (3) a brief description of the report's contents, and (4) a statement that the institution will provide a paper copy of the report upon request.
- The notice to prospective students and employees must include (1) the exact electronic address at which the report is posted, (2) a brief description of the report, and (3) a statement that the institution will provide a paper copy of the report upon request.

Reviewers should also confirm that the institution submitted its statistical disclosures to the Secretary as required by the regulations. The website to check submitted statistics is <http://ope.ed.gov/security>.

### **C. Reviewing Accuracy of Reporting**

To confirm or disprove allegations of incorrect reporting of statistical data in the annual security report, reviewers should determine the office and/or individual staff members in charge of compiling the annual security report. The regulations require an institution to include in its annual security report the institutional policies for preparing the disclosure of crime statistics. The regulations also require an institution to list in its annual security report the titles of each person or organization to whom students and employees report criminal offenses.

The people involved in the process of compiling the annual security report will likely vary from institution to institution, depending on the type, size, and location of the school. The offices most likely to be involved would be the campus police, a campus security department, campus disciplinary boards, the director of student housing, and the dean of students/student affairs.

Reviewers should discuss with the office/individual(s) compiling the report the sources of information used to calculate the reported statistics and the communication processes used to obtain statistical information from these sources. The specific incidents that comprise the annual security report's statistical data should be detailed somewhere in the files of the entity/individual compiling the annual security report. The institution should be able to document what incidents were disclosed in the statistical section of the annual campus security report.

### **D. Sources of Data**

Once reviewers have determined the primary sources of data, they should review that source documentation and compare it with the actual disclosed statistics.

## **1. Institutional Offices**

Records from institutional offices that could support the disclosed crime statistics may include

- incident reports to the campus police or campus security department;
- actions by/minutes of proceedings conducted by the campus disciplinary authority;
- incident reports to or disciplinary action taken by student housing officials; and
- statistical reporting by campus counseling offices.

Reviewers should review reports from a specific data source listed above to determine if all incidents from that source were included in the institution's statistical disclosure in its annual security report.

## **2. Campus Police/Security Department**

The HEA requires that an institution that maintains a campus police or campus security department must maintain a written, easily understood daily crime log. The crime log must record, by date reported, any crime that is reported to the campus police or the campus security department and which occurs (a) on campus, (b) on a non-campus building or property, (c) on public property, or (d) within the patrol jurisdiction of the campus police or the campus security department.

If there is a campus police force or campus security department at the institution, reviewers should check the crime log to test if the appropriate incidents were included in the disclosed statistics.

Reviewers should also check to see if crimes reported by these entities meet the Federal Bureau of Investigation's Uniform Crime Reporting (UCR) Program. The UCR definitions are provided in Appendix E to 34 CFR Part 668. Copies of the UCR Handbooks may be obtained from the FBI Communications Unit at 304-625-2823.

CDs containing UCR information for the years 1995 - 1999 can also be obtained from the FBI's Communications Unit or via [www.fbi.gov](http://www.fbi.gov). There are currently technical problems with the 1998 and 1999 statistics when using Internet Explorer as your browser. One of the summary schedules in the FBI's UCR report contains information regarding colleges and universities. If the institution actually has a campus police force, reviewers should reconcile the statistical

numbers reported on the institution's annual security report with the statistical numbers listed on UCR reports filed by the school.

### **3. Local Police**

Reviewers should check the institution's communication system with local law enforcement agencies and determine how the institution discovers incidents reported to local law enforcement that are not otherwise reported to a campus security authority. Particularly if the institution does not have a campus police force, reviewers may want to check and see if the institution receives local law enforcement police reports or incident summaries.

During the review, reviewers may want to contact the local law enforcement agency officer/supervisor in charge of the area(s) for which crimes are to be reported (on-campus, non-campus building or property, adjacent public property). Reviewers should ask for any summaries/reports that the local law enforcement agency may have regarding the affected areas and time period. Reviewers should compare the information received from local law enforcement agencies against the statistical information included in the institution's annual security report.

Note: If an institution makes a reasonable, good faith effort to obtain the required statistics, it may rely on information supplied by a local or state police agency. If such an effort is made, the institution would not be deemed responsible for the failure of local or state police agencies to supply the required statistics.