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IRB-96-3

TO: Regional Directors, Regions I-X  
Branch Chiefs, Institutional Review Branch, Regions I-X

THRU: Howard E. Fenton, Director  
Institutional Monitoring Division

FROM: Shirley Brown, Acting Chief  
Institutional Review Branch

SUBJECT: Guidance on the Campus Security Act

#### **BACKGROUND**

Final regulations on campus security were published in the Federal Register on April 29, 1994 with technical corrections published on June 30, 1995. These regulations require institutions to publish an annual campus security report and to distribute it to all current students and employees, either directly, by mail or other effective method, by September 1 of each year. Additionally, prospective students and employees must be informed of the report's availability, given a summary of its contents and be given an opportunity to request a copy of the report. All institutions should have published and distributed the current campus security report by September 1, 1996. That report should contain certain policies and procedures as well as crime statistics for the three preceding calendar years (i.e., 1993, 1994, 1995) for crimes listed in 34 CFR 668.47(a)(6), and for the preceding calendar year (i.e., 1995) for crimes listed in 34 CFR 668.47(a)(8).

#### **NOTICE OF VISIT LETTER**

As part of the program review process, reviewers must request a copy of an institution's campus security report. The campus security report must be included in the list of required documents in Attachment A of the "Notice of Visit" letter so that it can be examined as part of the pre-onsite review process.<sup>1</sup> Campus security reports for prior years, up to the record retention period, may also be requested if a reviewer has concerns about information contained in those reports.

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<sup>1</sup> Please refer to page 2-7 and Appendix B of the Program Review Guide for more information concerning the Notice of Visit letter.

### **FAILURE TO PUBLISH CAMPUS SECURITY REPORT**

An institution's failure to provide a campus security report indicates a lack of administrative capability, is a violation of Federal statute and regulations, and must be cited in the institution's program review report. Additionally, reviewers may consider referring the institution to the Compliance and Enforcement Division for appropriate action (e.g., fine, limitation, suspension or termination actions).

### **REQUIREMENTS OF THE ACT**

The requirements regarding the campus security report must be met individually for each separate campus. If a branch, school, administrative division or other location is not reasonably geographically contiguous with the main campus, it must be considered a separate campus and a separate report for that location must be published as well. An institution may publish a single document covering each campus as long as information that varies by campus, including crime statistics, is clearly presented.<sup>2</sup> In the event that a review is conducted at the central/corporate office of an institution with various campuses, it will be necessary to ensure that crime statistics are compiled for each location.

For the purpose of compiling the campus security report's crime statistics, "on-campus" includes any building or property owned or controlled by the institution within the same reasonably contiguous geographic area, and used by the institution in direct support of, or in a manner related to, the institution's educational purposes. Additionally, any buildings or properties owned or controlled by student organizations recognized by the institution, as well as any buildings or properties owned by a third party but controlled by the institution, are also considered to be "on-campus",

The campus security report must provide information on various procedures, policies and informational programs available to students as well as campus crime statistics. Current and prospective students are entitled to receive accurate information concerning the safety of institutions they attend or will attend; likewise, current and prospective employees are entitled to receive accurate information concerning the safety of the institutions that employ or will employ them. Therefore, it is important for reviewers to ensure that all of the required information is provided in the campus security report.

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<sup>2</sup>For example, an institution may have a satellite location, such as a research facility, in another part of town. Separate crime statistics for this property must be collected and reported, apart from those of the main campus.

### **TECHNICAL ASSISTANCE FOR INSTITUTIONS**

If institutions have questions, or request assistance in developing their campus security reports, please refer them to the Customer Support Branch. That office is responsible for providing technical assistance to institutions with regard to the requirements of the Campus Security Act and they can be reached at: phone: 1-800-433-7327; e:mail: csb@sfa.ope.gov; fax: (202) 260-4199. Additionally, if institutions have questions concerning possible conflicts with the Family Education Rights and Privacy Act (FERPA), please refer them to Dear Colleague letter GEN 96-11 (May 1996). That letter states that there is no conflict between the disclosure requirements of the Act and FERPA.

### **PROGRAM REVIEW PROCESS - POLICIES, PROCEDURES AND STATISTICS**

Reviewers will ensure compliance with the Campus Security Act in one of two ways, depending on whether or not complaints about an institution's campus security report have been received.<sup>3</sup> In the absence of specific complaints about a report's accuracy, reviewers should ensure that all the required elements are included in the report.<sup>4</sup> However, reviewers are **not** responsible for approving or disapproving the statements, policies and procedures enacted by institutions.<sup>5</sup>

Additionally, instead of verifying the accuracy of a report's crime statistics, reviewers should attempt to evaluate the **procedures** used by an institution to collect crime data and statistics. Interviewing the preparer of the report is probably

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<sup>3</sup> The Department established procedures for reporting complaints about campus security reports in Dear Colleague Letter GEN 96-11 (May 1996). This letter instructs individuals to file complaints directly with the Directors of the appropriate regional offices. However, it is possible that information concerning violations of the Campus Security Act may be received through other means such as referrals from other offices or agencies, media, etc.

<sup>4</sup> Examples of these are policies that encourage accurate and prompt reporting of crimes, descriptions of educational programs to promote awareness of rape, etc. Please refer to the attached Campus Security Act - Program Review Checklist of the current regulations for a complete list of all required policies, procedures and statements.

<sup>5</sup> The regulations only require that institutions have certain statements, policies or procedures in place. Institutions have discretion as to the specific manner in which policies and procedures will be implemented and the wording of their statements. However, in situations where it is **clear** that requirements are **not** being met, as opposed to a reviewer not agreeing with a policy or statement, then institutions must be informed of the deficiency and instructed to correct the problem.

the most effective way to evaluate the procedures. If it appears that the procedures used are reasonable then, absent conflicting information, reviewers can conclude that an institution has a reasonable report.

However, if information becomes or is available, through a complaint or other means, that crimes were reported but were not included in the campus security report, the Department will take appropriate action to ensure compliance, including a more thorough examination of the facts, and appropriate formal administrative action, if warranted.

For example, specific complaints from specific students, received during the course of a review or through inquiry to a regional office, should always be treated seriously. In the event of such a complaint (e.g., a reported incident was not included in the report), reviewers should always ask institutional officials to explain why a specific incident was not reported in the crime statistics. This can be done through correspondence, and does not necessarily require an onsite review.

If an institution cannot satisfactorily answer why an incident was omitted from the report, it may be necessary to conduct a more thorough review of the statistics used by an institution. This can include requesting all back-up documentation used to compile an institution's statistics.<sup>6</sup> Additionally, interviews with appropriate institutional personnel and local law enforcement officials may be conducted in order to ascertain whether or not an institution's crime statistics accurately reflect all crimes reported. Finally, in situations where it appears there may be a flagrant violation of the Act, it may even be necessary to schedule a review at an institution for the specific purpose of reviewing compliance with the Act.<sup>7</sup>

#### **PROGRAM REVIEW PROCESS - TIMELY WARNING PROVISION**

In addition to ensuring that institutions publish all necessary elements in its campus security report, reviewers should also determine whether or not an institution is in compliance with the

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<sup>6</sup> Back-up documentation is anything an institution used to construct its statistics and can include, but is not limited to, local police and campus security incident reports, data collected by student counseling centers, reports made to housing directors or responsible staff at dormitories, etc. (regulations state that all reports made to any institutional official with significant responsibility for student and campus activities must be included in the campus security report). Also, any documentation kept by the institution which describes the determinations of incidents reported only to school officials; institutions are required to report crime incidents even if the matter was only referred to an institutional disciplinary committee.

<sup>7</sup> To date, the Department has conducted at least one such review.

Act's timely warning provision. The timely warning provision requires that institutions notify the campus community of crimes that will aid in the prevention of similar incidents if: (1) the crime is a murder, rape (prior to August 1, 1992) or sex offenses, forcible or non-forcible (on or after August 1, 1992), robbery, aggravated assault, burglary or motor vehicle theft; (2) is reported to campus security authorities or local police agencies; and (3) is considered by the institution to represent a threat to students and employees. Therefore, all institutions should have some sort of procedure or mechanism in place in order to properly notify the campus community of a crime that meets the criteria of the timely warning provision.

### **SAMPLE INTERVIEW QUESTIONS**

To help evaluate an institution's procedures concerning the Campus Security Act, we have provided sample questions that reviewers may consult when interviewing institutional officials and students.

#### Sample Staff Questions:

- ◇ Who (which official or office) is responsible for preparing the campus security report?
- ◇ How is the report prepared?
- ◇ What campus offices or officials are consulted when gathering data for the campus security report? (What are the sources?)
- ◇ Do you include statistics from any counseling center? Campus disciplinary system?
- ◇ How do those offices or officials collect data concerning crimes on campus or on school-controlled property, including property controlled by school recognized organizations?
- ◇ Is there a control system to verify the accuracy of crime statistics; to avoid any duplication in reported statistics?
- ◇ Were any incidents considered for inclusion in the statistics, and then excluded? What was the basis for excluding the incident?
- ◇ How does the institution deal with student complaints regarding the statistics?
- ◇ Has the institution received any complaints from students or others about the accuracy of the statistics? What were the complaints? How were they resolved?
- ◇ What is the relationship between local law enforcement and campus security? How do you insure that crimes committed on school-owned or controlled property reported to local law enforcement are included in the campus security report?
- ◇ What method does the institution use to classify crimes committed on school-owned or controlled property?
- ◇ What time period is covered in the campus security report?

- ◇ Who is responsible for implementing the crime awareness programs (e.g., personal safety, crime prevention)?
- ◇ When and how is the campus security report distributed to students and employees?
- ◇ How are prospective employees or students informed about the campus security report?
- ◇ How does the institution provide education programs to promote the awareness of rape, acquaintance rape and other sex offenses?
- ◇ Describe the procedures for disciplinary action in cases of alleged sex offenses.
- ◇ What procedures are followed to inform the campus community, in a timely manner, of crimes that are reported to security officials which are considered to represent a threat?
- ◇ Have any warnings been issued? How? Were any incidents considered for a timely warning, but the institution decided not to issue a warning? What was the basis for not issuing the warning?

Sample Student Questions:

- ◇ Did you receive a copy of the campus security report? Have you seen a copy of the report?
- ◇ When did you receive the report?
- ◇ Do you know the procedures for reporting a crime on school property?
- ◇ Do you know about the school's crime awareness programs (e.g., personal safety, crime prevention)?

**OTHER RESOURCES**

A checklist compiled by Region V which lists, in detail, all the items that a campus security report should contain is attached. Please use it when reviewing an institution's campus security report for required elements.

Also attached are sample findings which reviewers may use when reporting violations of the campus security regulations. The deficiency code/description for failing to meet the campus security regulations is **GEN 2113: Crime Awareness Requirements Not Met.**

Finally, reviewers may contact Rachael Sternberg or Paula Husselmann of the General Provisions Branch, Policy Development Division at (202) 708-7888 and (202) 708-4902, respectively.

If you have any questions, please contact Jesus Moya of my staff at (202) 260-6168.

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Attachments

- (A) Sample Findings - GEN 2113 Crime Awareness Requirements Not Met
- (B) Program Review Checklist

cc: Marianne Phelps  
Howard Sorensen  
Rachael Sternberg  
Carney McCullough  
IRB/IMD Staff  
Bonnie LeBold  
Phillip Brumback

GEN 2113 CRIME AWARENESS REQUIREMENTS NOT MET

Below is the standard generic paragraph for GEN 2113 - Crime Awareness Requirements Not Met. Also included in this attachment are other sample findings that address some of the possible violations of the Campus Security Act. They are intended to serve as a **starting** point when constructing similar findings and to illustrate some of the various types of problems that institutions may have in complying with the requirements of the Act.

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**CRIME AWARENESS REQUIREMENTS NOT MET**

**FINDING:** The institution failed to collect and distribute the required campus security crime statistics and policies to its current and prospective students and employees.

Failure to collect and distribute the required campus security crime statistics and policies to current and prospective students and employees, constitutes an inability by the institution to properly administer the Title IV, HEA programs.

**REFERENCE:**

Sect. 485(f) of the HEA , as amended  
34 CFR 668.14(c)(2) (1995)  
34 CFR 668.47 (1995)

**REQUIREMENT:**

As of September 1, 1992, all schools were required to provide annual campus security information to all of their current and prospective students and employees. This information was to be provided through publications and mailings.

The campus security report must contain information regarding campus security policies and campus crime statistics. The report must discuss the role and function of campus security personnel, the school's procedures for reporting (and responding to reports of) emergencies and crimes and school security policies regarding on-and-off campus facilities.

The report should also outline the school's policy regarding alcohol-and-drug related violations, including use, sale, possession and underage drinking. Lastly, the report must describe the informational programs available to students and employees about crime prevention, campus security and alcohol or drug abuse (as required by law).

The statistical portion of the campus security report must include data on the occurrence of murder, sex offenses, robbery, aggravated assault, burglary and motor vehicle theft on campus, as reported to campus security personnel or local law enforcement authorities, during the last three years.

Statistics must also be provided that show the number of on-campus arrests for liquor law violations, drug abuse violations and weapons possessions. These statistics should reflect only the nature and specific conditions of the crimes and arrests; no names should be collected or reported for the purpose of these statistics. Schools were required by law to begin collecting these statistics on August 1, 1991.

The institution must immediately provide this information to its students and staff. With its response, the institution must submit a copy of the report and provide assurance, that in the future, a procedure will be developed to disseminate the required information within the designated time frame.

**Crime Statistics Not Accurately Disclosed--Annual Campus Security Reports**

**FINDING:** The institution's annual campus security reports for each of the years 1992 through 1995 were reviewed to determine whether all of the required disclosures had been made, and whether the disclosed information was accurate. Because the Department received complaints about the accuracy of the statistics reported, the reviewers examined the source documents used to prepare the crime statistics. Additionally, the individuals responsible for gathering the statistics and preparing the reports were interviewed. While the institution did meet the requirement to publish an annual report for each of those years, detailed examination revealed areas where the institution failed to properly report required information:

- a) All crime incidents not reported. The institution failed to properly gather/coordinate the required crime statistics from all pertinent sources. Specifically, incidents of crimes occurring on campus that were reported only to the institution's Counseling Center were not included in the report.
- b) All university properties not included. The definition of campus includes "any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purpose." The institution's Fine Arts Building located on A & B streets is a location that is reasonably contiguous to the main campus. However, the institution did not collect crime statistics for the Fine Arts Building.
- c) Statistics for non-contiguous university properties. The Regional Agricultural Research Laboratory, located 10 miles from the main campus, is a non-contiguous property owned and controlled by the institution. Our review of the annual campus security reports revealed that no separate statistics for the Regional Agricultural Research Laboratory were reported, nor were there any references to the laboratory in the various policy statements.
- d) Hate crimes. The institution's publications did not address the presence or absence of crimes as listed

- e) in 34 CFR 668.47(a)(6)(i) that manifest evidence of prejudice based on race, religion, sexual orientation, or ethnicity, as prescribed by the Hate Crimes Statistics Act (28 U.S.C. 534) and required under 34 CFR 668.47(a)(6)(ii).
- f) Inconsistent Data. In the 1994 campus security report, 2 aggravated assaults are reported for 1993. In the 1995 report, only 1 aggravated assault is reported for 1993. No explanation was given to account for this inconsistent information. Therefore, it appears that the institution is failing to properly carry over data from one year to the next.

Failure to accurately report occurrences of crimes results in the underreporting of occurrence of crimes and denies students and employees the opportunity to make informed judgments about the relative security of the campus environment and to make personal security decisions.

**REFERENCE:** 34 CFR 668.14(c)(2)(1995)  
34 CFR 668.16(1995)  
34 CFR 668.47(1995)  
Sect. 485(f) of the HEA , as amended

**REQUIRED ACTIONS:** The institution is required to review the requirements of 34 CFR 668.47, develop a system for collecting information from all pertinent sources about all occurrences (reports/arrests) of those crimes covered in 34 CFR 668.47(a)(6) and (a)(8), and indicate whether or not any crimes under 34 CFR 668.47 (a)(6)(i) manifest evidence of prejudice as prescribed by the Hate Crimes Statistics Act (28 U.S.C. 534) for inclusion in its annual campus security report. The report must also include separate statistics and other appropriate references for the Regional Agricultural Research Laboratory since it is a non-contiguous property owned and controlled by the institution; the institution may wish to issue an entirely separate report for the Laboratory.

In its response to this report, the institution is required to describe how it will bring its campus security statistical disclosures into compliance with the law and regulations. The institution's response should address each of the deficiencies noted above and explain how it will take corrective actions to ensure complete reporting in the next annual campus security report. In addition, the institution must review previously disclosed statistics and report corrected statistics in light of the noted deficiencies.

The Department will review the response to determine the institution's commitment to take corrective action and ensure future compliance.

**Timely Warning Provision**

**FINDING:** The institution publishes a monthly report titled "Campus Profile" at the beginning of each month. This publication contains information of the crimes committed on the main campus during the previous month. A review of the institution's annual campus security report revealed that the institution includes crime statistics in "Campus Profile" in order to meet the timely warning provision in 34 CFR 668.47.

The purpose of the timely warning requirement is to notify the campus community, in a timely manner, of crimes listed in 34 CFR 668.47(a)(6) in order to prevent similar crimes from occurring. A monthly publication does not meet the timely warning requirement of 34 CFR 668.47.

**REFERENCE:** 34 CFR 668.47(1995)  
Sect. 485(f) of the HEA , as amended

**REQUIRED ACTION:** The institution is required to, in a manner that is timely and will aid in the prevention of similar crimes, report to the campus community on crimes that are 1) described in 34 CFR 668.47(a)(6); 2) reported to campus security authorities as identified under the institution's statement of current campus policies pursuant to 34 CFR 668.47(a)(1) or local police agencies; and 3) considered by the institution to represent a threat to students and employees.

The institution must review, and develop as necessary, its procedures for determining whether to issue a warning to the community when crimes are reported to campus officials, and review possible effective methods of issuing a required warning to the campus community.

In response to this report, the institution must describe its procedures for determining whether to issue a timely warning, the criteria for such a warning and methods for issuing timely warnings.

**Campus Security Report Information Not Made Available to Prospective Students and Employees**

**FINDING:** Institutional publications were examined and staff were interviewed to determine how the University makes campus security report information available to current and prospective students and employees. It appears that the institution is not in compliance with the Campus Security Act dissemination requirements. Specifically, prospective students and employees are not informed of the campus security report's availability, given a summary of its contents, and afforded the opportunity to request a copy of the report.

**REFERENCE:** 34 CFR 668.14(c)(2)(1995)  
34 CFR 668.16(1995)  
34 CFR 668.47(1995)  
Sect. 485(f) of the HEA , as amended

**REQUIRED ACTIONS:**

Prospective students and employees must be informed of the campus security report's availability and given a summary of its contents, as well as the opportunity to request a copy of the report.

In its response, the institution must provide a copy of the notification it will provide to prospective students and employees and must indicate how the notification will be made.

**Statements of Policy Omitted (or Incomplete)**

**FINDING:** A review of the University's annual campus security reports revealed several instances where required statements of policy were omitted (*or: simply stated the policy topic without elaborating a policy, or did not adequately address all required policy components*). For example:

- 1) Informational Programs. The campus security reports omit the description required under 34 CFR 668.47(a)(4) of the type and frequency of programs designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others.
- 2) Drug or Alcohol Abuse Programs. The campus security reports omit a description of, or a cross-reference to (as required by 34 CFR 668.47(a)(11)), drug or alcohol-abuse education programs offered pursuant to section 1213 of the HEA.
- 3) Officials to Whom Reports of Criminal Offenses Should Be Made. The campus security reports do not identify to whom on campus (by title or office) students and employees should report the criminal offenses described in paragraph (a)(6) as required by 34 CFR 668.47(a)(1).

**REFERENCE:** 34 CFR 668.14(c)(2)(1995)  
34 CFR 668.16(1995)  
34 CFR 668.47(1995)  
Sect. 485(f) of the HEA , as amended

**REQUIRED ACTIONS:** The institution is required to review the campus security reports to ensure that all policy statements as required under 34 CFR 668.47 are included. In addition, it must ensure that all other institutional policies and procedures such as, but not limited to, student, staff, and faculty disciplinary procedures incorporate these policies.

In its response the institution must indicate where additions and modifications are made. This information should be presented in a comparison format or other format that clearly identifies the changes.

**Campus Security Act - Program Review Checklist**

Date: \_\_\_\_\_ Year of Annual Report: \_\_\_\_\_

Page #	Reference	Information to be included:	Comments/Notes:
	668.47 (a)(1)	Statement of current campus policies regarding: <ul style="list-style-type: none"> <li>• Procedures and facilities for students to report criminal actions or other emergencies;</li> <li>• Policies re inst. response to those reports (including policies for making timely reports to members of campus community re: the occurrence of crimes from (a)(6));</li> <li>• List of the titles of each person or organization reports should be made to for the purpose of making timely warnings of criminal offenses under (a)(6)</li> </ul>	
	668.47 (a)(2)	Statement of current policies concerning: <ul style="list-style-type: none"> <li>• Safety of and access to campus facilities including campus residences</li> <li>• Security considerations used in the maint. of campus facilities</li> </ul>	
	668.47 (a)(3)	Statement of current policies re: campus law enforcement including: <ul style="list-style-type: none"> <li>• Enforcement authority of campus personnel and:</li> <li>• Working relationship of campus personnel with State &amp; local agencies</li> <li>• Arrest authority of security personnel;</li> <li>• Policies that encourage accurate and prompt reporting of all crimes to :                             <ul style="list-style-type: none"> <li>• campus police; and</li> <li>• appropriate police agencies</li> </ul> </li> </ul>	
	668.47 (a)(4)	Description of type and frequency of programs designed to encourage students and employees about campus security procedures and practices to encourage responsibility for personal and community safety	

Page 2 - Attachment B - Program Review Checklist

Date: \_\_\_\_\_ Year of Annual Report: \_\_\_\_\_

Page #	Reference	Information to be included:	Comments/Notes:
	668.47 (a)(5)	Description of programs designed to inform students and employees about crime prevention	
	668.47 (a)(6); (f); and Appendix E	<p>Statistics concerning the <b>occurrence</b> on campus of criminal offenses reported to local police agencies or to any official of the institution who has significant responsibility for student and campus activities for the 3 calendar years preceding the year of disclosure:</p> <p>A. Murder                      B. Rape [prior to 8/1/92] or                          Sex offenses (forcible or non forcible)[on or after 8/1/92]                      C. Robbery                      D. Aggravated assault                      E. Burglary                      F. Motor-vehicle theft; and</p> <p>Statistics concerning the above that manifest evidence of prejudice based on race, religion, sexual orientation, or ethnicity.</p> <p>Institutions should compile these statistics in accordance with the definitions used in the FBI Uniform Crime Reporting Program.</p>	
	668.47 (a)(7)	Statement regarding monitoring and recording through local police criminal activity in which students engaged at off-campus locations of student organizations recognized by the inst., including organizations with off-campus housing	
	668.47 (a)(8); (f); and Appendix E	<p>Statistics concerning the number of <b>arrests</b> for the following crimes occurring on campus for the one calendar year preceding the year of disclosure</p> <p>A. Liquor law violations                      B. Drug abuse violations                      C. Weapons possessions</p> <p>Institutions should compile these statistics in accordance with the definitions used in the FBI Uniform Crime Reporting Program.</p>	

Page 3 - Attachment B - Program Review Checklist

Date: \_\_\_\_\_ Year of Annual Report: \_\_\_\_\_

Page #	Reference	Information to be included:	Comments/Notes:
	668.47 (a)(9)	Statement of policy re: the possession, use, and sale of alcoholic beverages and enforcement of Federal and State underage drinking laws.	
	668.47 (a)(10)	Statement of policy re: the possession, use, and sale of illegal drugs and enforcement of Federal and State drug laws	
	668.47 (a)(11)	Description of drug or alcohol-abuse education programs as required under 1213 of the HEA (can be a cross reference to other publications)	
	668.47 (a)(12)	<p>Statement of policy regarding campus sexual assault program to prevent sex offenses, and procedures to follow when a sex offense occurs. Statement must include:</p> <ul style="list-style-type: none"> <li>i. Description of educational programs to promote the awareness of rape, acquaintance rape and other forcible and non-forcible sex offenses</li> <li>ii. Procedures students should follow if a sex offense occurs, including: <ul style="list-style-type: none"> <li>• Who should be contacted</li> <li>• The importance of preserving evidence for the proof of a criminal offense</li> <li>• To whom the alleged offense should be reported</li> </ul> </li> <li>iii. Information on the student's option to notify proper law enforcement officials (including on campus and local police) and a statement that institutional personnel will assist the student if requested</li> <li>iv. Notification of existing on- and off- campus counseling, mental health or other student services for victims of sex offenses</li> <li>v. Notification that an institution will change the victim's academic and living situations if changes are requested and are reasonably available;</li> </ul>	

Page 4 - Attachment B - Program Review Checklist

Date:

Year of Annual Report:

Page #	Reference:	Distribution of information:	Comments/Notes:
		<p>vi. Procedures for campus disciplinary procedures in cases of an alleged sex offense, including a clear statement that:</p> <ul style="list-style-type: none"> <li>A. The accuser and accused are entitled to the same opportunities to have others present during a disciplinary proceeding; and</li> <li>B. Both the accuser and the accused shall be informed of the outcome of any institutional disciplinary proceeding brought alleging a sex offense (the institution's final determination and any sanction against the accused).</li> </ul> <p>vii. Sanctions the institution may impose following a final determination of an institutional disciplinary proceeding regarding rape, acquaintance rape, or other forcible or nonforcible sex offenses.</p>	
	668.47 (b); and (f)(3)	<p>Institution shall distribute the report to:</p> <ul style="list-style-type: none"> <li>1) Current students and employees by appropriate publication and mailings through: <ul style="list-style-type: none"> <li>i. direct mailing to each individual (campus or U.S. mail) or</li> <li>ii. publications provided directly to each individual</li> </ul> </li> <li>2) Prospective students and employees upon request provided each is informed of the availability of the security report, given a summary of its contents and given the opportunity to request a copy.</li> </ul>	
	668.47 (c) and (f)	<p>Institutions shall comply with requirements for each campus. A branch or other location must issue a separate report if not within a reasonably contiguous geographic area of the main campus. Campus = (1) any building or property owned or controlled by an institution within the same reasonable contiguous area and used by the institution in direct support of, or in a manner related to, the institution's education purpose; (2) any building or property owned or controlled by a student organization recognized by the institution; or (3) any building or property controlled by the institution, but owned by a third party.</p>	

Page 5 - Attachment B - Program Review Checklist

Date:

Year of Annual Report:

Page #	Reference :	Issuance / contents of reports:	Comments/Notes:
	668.47 (d)(1)(i) -(iii)	⇒ Reporting <b>(a)(6)</b> data: <ul style="list-style-type: none"> <li>• 1st annual report:                             <ul style="list-style-type: none"> <li>◆ Covers 1/1/91 - 12/31/91 and 2 preceding calendar years (Must cover at least 8/1/91-1/31/92)</li> </ul> </li> <li>• 2nd &amp; 3rd annual reports:                             <ul style="list-style-type: none"> <li>◆ Due 9/1/93 and 9/1/94 respectively</li> <li>◆ Must cover the most recent calendar year and the two preceding calendar years (At least 8/1/91 through 12/31/91 and 1992 for second report and at least 8/1/91 through 12/31/91 and 1992 and 1993 for the third report)</li> </ul> </li> <li>• Report due 9/1/95 and each subsequent must contain data for the three calendar years preceding the year in which the report is disclosed. For example, the 1996 report (due 9/1/96) must cover the 1993, 1994 and 1995 calendar years.</li> </ul>	
	668.47 (d)(1)(iv) -(v)	⇒ Reporting <b>rape</b> data [paragraphs (d)(1)(ii) and (iii)]: <ul style="list-style-type: none"> <li>• In each report due on or after 9/1/93, 9/1/94 and 9/1/95, must report rapes for periods prior to 8/1/92; must report sex offenses, forcible or non-forcible, after 8/1/92.</li> <li>• All subsequent reports must report sex offenses, forcible and non-forcible</li> </ul>	
	668.47 (d)(2)	⇒ Reporting <b>(a)(8) data:</b> <ul style="list-style-type: none"> <li>• First annual report must cover 1/1/91 through 12/31/91 (at least 8/1/91 through 12/31/91).</li> <li>• Second annual report (due 9/1/93) and each subsequent report must cover the single calendar year preceding the year in which the report is issued.</li> </ul>	
	668.47(e)	⇒ Timely reports to community to prevent (a)(6) crimes .	