

Annual Disclosure of Crime Statistics

Original Implementation: October 30, 2007

Last Revision: January 31, 2017

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, commonly referred to as the “Clery Act,” and/or the Higher Education Opportunity Act of 2008 (HEOA), requires institutions of higher education receiving federal financial aid to report specified crime and fire statistics on college campuses and to provide other safety and crime information to members of the campus community. Campuses must publish an Annual Security and Fire Safety Report detailing statistics regarding reported crimes committed on campus and at affiliated locations for the previous three calendar years, fires that occur in on-campus residence halls, and describing specified policies, procedures and programs regarding safety and security. This requirement of the Clery Act is intended to provide students and their families, as higher education consumers, with accurate, complete and timely information about the safety of the campus so that they can make informed decisions.

The federal law requires the collection and reporting of annual crime statistics reflecting reports of specified crimes that occur on and adjacent to a university campus and certain properties associated with the campus as well as fires that occur in on-campus residence halls. The statistical compilation must be broken down by specified types of crimes and campus disciplinary referrals, and must indicate if a specified crime is a hate crime. Campuses must also provide a geographic breakdown of the crime statistics according to the following defined geographic areas: “on campus” (including further breakdown of the number of crimes that occurred in campus student residential facilities), “in or on a non-campus building or property” and “on public property.”

Annual Security and Fire Safety Report

The Stephen F. Austin State University Department of Public Safety (DPS) prepares an Annual Security and Fire Safety Report to comply with the Clery Act and HEOA. This report is prepared in cooperation with the Residence Life and the Student Rights and Responsibilities departments. Each entity provides updated information on their educational efforts and programs to comply with the Clery Act.

DPS officers enter all reports and all crime incidents reported directly into an automated case management software program. Once an officer enters the report in the program, a departmental administrator reviews the report to ensure it is classified within the appropriate crime category. The department examines the data to ensure that all crimes that have been reported are recorded in accordance with the crime definitions outlined in the FBI Uniform Crime Reporting (UCR) Handbook as required by the Clery Act regulations.

SFA is required under the Clery Act to provide a Crime Statistics Summary Report related to its campus and other locations by calendar year. This SFA Crime Statistic and Fire Summary Report is sent annually to the U.S. Department of Education and can be viewed on the Office of Postsecondary Education–Department of Education’s website.

The university’s Annual Security and Fire Safety Report (ASR) is updated each year and it is available on the SFA website at: <http://www.sfasu.edu/dps/>. Copies of the ASR may also be obtained at the SFA Department of Public Safety, located on East College Street, or by calling 936.468.2252.

The Annual Security and Fire Safety Report must describe specified campus policies concerning:

- Reporting criminal activity or other emergencies on campus;
- Security of, maintenance of and access to campus facilities;
- Authority of campus law enforcement units;
- Monitoring and recording through local police agencies of off-campus criminal activities by students;
- Alcohol and drugs;
- Fire Safety;
- Fire Suppression in Residence Halls; and
- Timely Warning Procedures

In addition, the report must describe:

- The type and frequency of campus programs to inform students and employees about campus security procedures and precautions and the prevention of crimes;
- Available drug and alcohol abuse prevention education programs and existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims both on-campus and in the community;
- Campus programs to prevent sexual assaults, including procedures to be followed when such an assault occurs;
- Education Programs to promote prevention and awareness of domestic violence, dating violence, and stalking;
- Procedures that the institution will follow once an incident of domestic violence, dating violence, sexual assault, or stalking has been reported; including the procedures for university disciplinary action, the applicable burden of proof for such proceedings, and possible sanctions or protective measures the university may impose;
- Procedures victims should follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking has occurred, including information on the importance of preserving evidence, to whom the offense should be reported, options regarding law enforcement and university authorities, and the rights of victims and the university’s responsibilities regarding orders of protection, no contact orders, restraining orders, or

- similar court orders;
- Information about how the university will protect the confidentiality of victims;
- Information about options for changing academic, living, transportation, and working situations; and
- Where law enforcement agency information concerning registered sex offenders may be obtained.

Definitions of Reportable Crimes

The definitions of reportable crimes are outlined in the Annual Security Report.

Other Policy-Related Definitions

Campus is defined as any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is frequently used by students and supporters for institutional purposes (such as food or other retail vendor).

Non-campus building or property is defined as any building or property owned or controlled by a student organization officially recognized by the institution; or any building or property (other than a branch campus) owned or controlled by an institution that is used in direct support of or relation to the institution's educational purposes, is frequently used by students and is not within the same reasonably contiguous geographic area of the institution.

Public property is defined as all public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution's educational purposes.

Campus Security Authorities

The Clery Act definition of a campus security authority includes SFA personnel beyond police officers. An official of SFA who has significant responsibility for student and campus activities, including but not limited to, student housing, student discipline and campus judicial proceedings, is a campus security authority. Campus security authorities, as defined by the Clery Act, have an obligation to report allegations of Clery Act-defined crimes that they conclude are made in good faith. These crime allegations must be reported to the SFA University Police Department.

The intent of including non-law enforcement personnel as campus security authorities is to

acknowledge that many individuals and students in particular may be more inclined to report incidents to other campus-affiliated individuals other than the police.

Counselors Confidential Reporting

The Clery Act defines a professional counselor as an employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.

Campus professional counselors, when acting as such, are not considered to be campus security authorities and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics.

Cross Reference: 20 U.S.C. § 1092(f); Higher Education Opportunity Act, Public Law 110-315 (8/14/08); 42 U.S.C. § 13925(a); Timely Warning (13.22)

Responsible for Implementation: Vice President for University Affairs

Contact for Revision: Executive Director of Public Safety/Chief of Police

Forms: None

Board Committee Assignment: Academic & Student Affairs