

HIGHER EDUCATION



UNDERSTANDING CLERY GEOGRAPHY

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TRAINING

TRAINING APPROPRIATE FOR:

- ☒ Title IX Coordinators
- ☒ Clery Compliance Officers
- ☒ Campus Safety
- ☒ Others involved with Clery compliance
- ☒ Campus Security Authorities



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General Clery Act Requirements

	Annual Security Report		Missing student notification policies and procedures
	Crime statistics		Programs to prevent dating violence, domestic violence, sexual assault, and stalking
	Timely warnings and emergency notifications		Procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking
	Crime log		Campus Hazing Transparency Report
	Emergency response and evacuation procedures		



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CLERY GEOGRAPHY IS RELEVANT TO:



- Collecting and reporting crime and fire statistics
- Maintaining crime and fire logs
- Issuing timely warnings and emergency notifications
- Determining if an institution has separate campuses that require their own Annual Security Report



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CLERY GEOGRAPHY HAS 4 CATEGORIES:



On Campus

On Campus
Residential
Facilities

Noncampus

Public Property



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On Campus Buildings and Properties

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.



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OWNED OR CONTROLLED BY

Owned by = Owned by institution

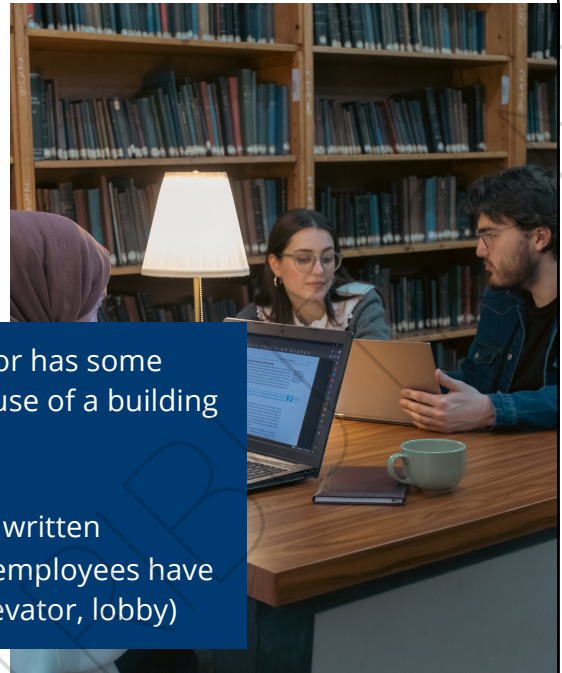
- Includes state ownership of state schools

Controlled by = Institution rents, leases, or has some other type of written agreement for the use of a building or property (or a portion)

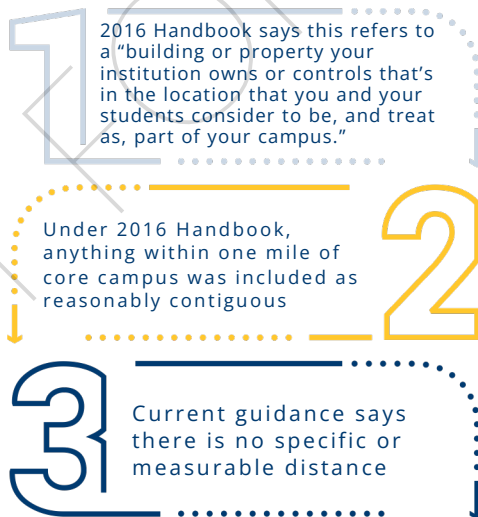
- Does not require payment
- Institution's control is determined by written agreement AND any areas students/employees have to use to access space (e.g., stairs, elevator, lobby)



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SAME REASONABLY CONTIGUOUS GEOGRAPHIC AREA



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IN DIRECT SUPPORT OF OR IN A MANNER RELATED TO INSTITUTIONAL EDUCATIONAL PURPOSES

Consider how the building or property is being used.

Residence halls

Classrooms

West Campus
Residence Halls

Study areas

Dining area



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ON-CAMPUS ALSO INCLUDES...



COFFEE

COFFEE
IS
LOVE
A GOOD IDEA
LIFE
RULE
OR
JUST DRINK

- Institution owns the building/property, but it is controlled by someone else,
- It is within the same reasonably contiguous geographic area,
- It is frequently used by students, AND
- Supports institution's educational purposes.

Examples:

- Food vendors (ex: coffee shop in the dining hall)
- Retail vendors (ex: bookstore in the student center)

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ON CAMPUS RESIDENTIAL FACILITIES

A dormitory or other residential facility for students that is located on the institution's main campus.

- Owned or controlled by the institution, OR
- Is located on property that is owned or controlled by the institution, AND
- Is within the reasonably contiguous geographic area that makes up the campus.



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ON CAMPUS RESIDENTIAL FACILITIES

Includes:

- ✓ Undergraduate, graduate, and married student housing
- ✓ Single family houses used for student housing
- ✓ Summer school student housing
- ✓ Housing for student organizations
- ✓ Mix of student and faculty housing
- ✓ Third party owned buildings on campus where there is an agreement with your institution to provide student housing
- ✓ Parking facilities and dining halls that are physically attached to and accessed directly from student housing facilities



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SEPARATE CAMPUSES

Institutions with more than one campus must comply with the Clery Act for EACH campus.



- 1 The institution owns or controls the campus;
- 2 It is not reasonably geographically contiguous with the main campus;
- 3 It has an organized program of study; AND
- 4 There is at least one person on site acting in an administrative capacity.



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NONCAMPUS BUILDINGS AND PROPERTY



01

Any building or property owned or controlled by a student organization that is officially recognized by the institution; OR

02

Any building or property owned or controlled by an institution that:

- Is used in direct support of, or in 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.



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A NOTE ABOUT "CONTROL"

For buildings/properties "controlled by" an institution, the institution is considered to be in control of:

whatever your
written
agreement
states



any areas the
students must
use to access
the space
(e.g., lobby,
stairs,
elevators,
etc.)



common
areas (e.g.,
lounge areas,
bathrooms,
etc.)



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NONCAMPUS EXAMPLES

- ✓ Your institution's recognized fraternity and sorority houses are off campus about 5 blocks from your main campus. The fraternities and sororities enter into agreements with the landlords and pay rent themselves.
- ✓ An institution owned bookstore that is off campus (1 mile).
- ✓ Your institution rents a room in an office building 30 miles from your main campus to use for a business course. It is only used for one semester.
- ✓ Your institution rents a research boat for one year for students to use for research purposes.
- ✓ Your institution has a written agreement with an apartment complex 10 blocks from your main campus to allow students to rent apartments in one of the apartment buildings.



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NONCAMPUS EXAMPLES

These are considered “noncampus” for as long as they meet the definitions previously given.

- ✓ One of the sorority houses is no longer officially recognized by your institution beginning on October 15th. Their sorority house is only considered “noncampus” from January 1 through October 14th.
- ✓ The room that your institution rented for a business course didn’t have any students sign up for the course. Instead, several employees use it as workspace for the semester. Since it is not frequently used by students, it is no longer considered “noncampus.”



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What about dual credit programs?

Is your written agreement for space or for program access?



Example: You have a dual credit program, and the written agreement between the institution and high school says that high school students can be enrolled for college credit in some of the courses they take at the high school. This agreement is related to the *program*, not *space*. Therefore, the institution *does not* include the high school as noncampus property.



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OTHER NONCAMPUS CONSIDERATIONS

What about....

- Field trips
- Overnight school sponsored trips
- Repeated use of a location
- Short stay away trips
- Study abroad programs



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PUBLIC PROPERTY



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The Clery statute defines public property 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."

The Clery regulations define public property as:

"All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus."

PUBLIC PROPERTY

Clery Act Appendix for FSA Handbook says...



To be categorized as public property, the property must satisfy all three of these conditions:

- ① Public (e.g., publicly-owned);
- ② Within or adjacent to campus;
- and
- ③ Accessible from campus.

PUBLIC PROPERTY

Public = Owned by public entity such as the state or city government. Not privately owned.



Within campus = Institution's main campus and separate campuses.

Adjacent to campus = Borders institution's campus.

Accessible from campus = No barrier between the campus border and the public property.

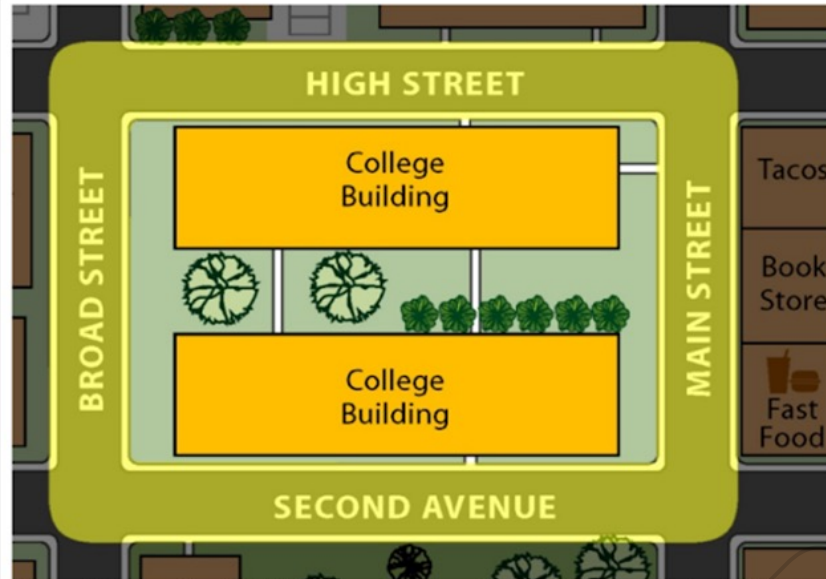
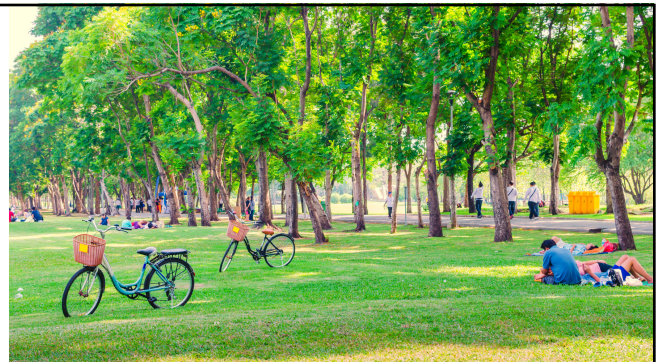


Image from the Handbook for Campus
Safety and Security Reporting, U.S.
Department of Education, 2016
Edition, p. 2-13

Figure 1. Example of public property: sidewalk, street, sidewalk. In this illustration, the college's public property consists of the public sidewalk, street, and opposite sidewalk along all four borders of the campus. Nothing beyond the second sidewalk is included in the college's public property.

HOW WOULD YOU CATEGORIZE THESE?

- 1 Institution owns a bookstore that is located off-campus.
- 2 An academic building owned by the institution and located on the institution's main campus.
- 3 Institution has a written agreement with an events facility that is located 10 miles from your main campus. Institution uses this facility for students to attend various events throughout the year. Student organizations can also use it for their own events.



- 4 A public park across the street from your main campus.
- 5 A privately owned coffee shop on your main campus.

RECOMMENDATIONS

Take time to categorize your institution's buildings and properties

Create a building/properties list

Consider creating a Clery geography map

Update on annual basis



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Questions? Or need additional support?

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