



# **THE CLERY ACT AUDIT REPORT**

**October 2, 2017  
Report No. 17-03**



October 2, 2017

Dr. Neil Matkin, District President

Dear Dr. Matkin:

We have completed our audit of the Clery Act. This engagement is included in our 2017 Audit Plan. We utilized the International Standards for the Professional Practice of Internal Auditing as guidance for conducting the audit. The objective of this audit was to determine if Collin College District is in compliance with the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act).

The audit revealed:

- specific Institutional policies and/or policy language is not in place,
- the Annual Security Report (ASR) is missing specific policy language,
- a listing of Campus Security Authorities (CSAs) is not being kept current and required CSA training is not being monitored for completion,
- the Daily Crime Log (for the previous 60 days) was not obtained when requested,
- some of the Daily Crime Log reports are missing data in specific categories, and
- a Fire Log is not being maintained.

Responses from management describing actions to be taken to address the recommendations, including estimated implementation dates, are included in this report. Management is responsible for implementing the course of action outlined in the responses.

Our Standards require that we monitor audit issues to ensure that management action plans have been effectively implemented. Based on your estimated implementation dates, we will contact you to schedule the follow-up procedures. Our follow-up procedures may consist of reviewing compliance-related policies, procedures, or other materials developed while implementing the plan. In addition, we may perform limited procedures to ensure the plan is working as intended.

Our recommendations are provided to assist the management of Collin College District in enhancing its operations and managing its risks. We appreciate the courtesies and considerations extended to us during our engagement. If you



have any questions or if we can be of further assistance, please do not hesitate to contact our office.

Sincerely,

Darren Smith  
Senior Internal Auditor

- c. Dr. Sherry Schumann, Senior VP Academic Workforce and Enrollment Services
- Ms. Kimberly Davison, Senior VP Organizational Effectiveness
- Dr. Albert Tezeno, VP Student and Enrollment Services
- Mr. Floyd Nickerson, VP Human Resources
- Mr. Ken Lynn, Chief Financial Officer
- Mr. Bill Taylor, Chief of Police
- Dr. Bill King, Executive Director of Facilities
- Mr. Thomas Delamater, Chief Public Relations Officer
- Mr. Terrence Brennan, Dean of Students
- Ms. Amy Throop, Associate Dean of Students

## COLLIN COLLEGE DISTRICT – The Clery Act

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### BACKGROUND

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998, a part of the Higher Education Act of 1965, was expanded by the Higher Education Opportunity Act of 2008 and the Violence Against Women Reauthorization Act of 2013 (collectively known as the “Clery Act”). The Clery Act requires colleges and universities receiving federal financial assistance to gather and make public information about certain crimes on or near their campuses and publish policy statements concerning campus safety and security.

Compliance is monitored by the United States Department of Education, which can impose civil penalties, up to \$57,789 per violation, against institutions for each infraction and can suspend institutions from participating in federal student financial aid programs.

Crimes that occur on school grounds and within school-owned buildings qualify for reporting under the Clery Act. Some schools may also be required to record crimes at certain non-campus facilities, like Greek houses or public property adjacent to the institution. In addition, some off campus properties qualify as “on campus” under this Act, like remote classrooms and buildings owned by campus groups. Which locations qualify for reporting is very school specific.

By October 1 of each year, institutions must publish and distribute their Annual Campus Security Report to current and prospective students and employees. Institutions are also allowed to provide notice of the report, a URL if available, and how to obtain a paper copy if desired. This report is required to provide crime statistics for the prior three years, policy statements regarding various safety and security measures, campus crime prevention program descriptions, and procedures to be followed in the investigation and prosecution of alleged sex offenses.

See **Addendum A** for the *Clery Act* definition of **on-campus**.

**AUDIT OBSERVATIONS, CRITERIA, RECOMMENDATIONS,  
and MANAGEMENT RESPONSES**

**Policies and Policy Language**

- A major requirement of the Clery Act is to disclose policy statements in your annual security report (ASR).
- The Clery Act has specific requirements intended to help you keep your students and employees informed about threats to their safety and health in a manner that allows them to protect themselves.

**OBSERVATION**

1. There is an emergency response and evacuation procedures plan in place; however, it is not as comprehensive as it needs to be and there is not a process in place to ensure that it is periodically reviewed and updated. This is noted an Internal Audit of Safety dated May 26, 2017. In addition, there is not a policy in place regarding emergency response and evacuation procedures.

**RECOMMENDATION**

We recommend management implement a policy regarding emergency response and evacuation procedures by following the guidelines as stated in *The Handbook for Campus Safety and Security Reporting 2016 Edition*, federal guideline 34 CFR 668.46(b)(13), and 34 CFR 668.46(g).

Once the policy is in place, this information should be included in the 2018 ASR.

**MANAGEMENT RESPONSE**

Management concurs with the observation. Various employees from relevant areas will work together to draft a local GCC policy regarding Clery Act compliance. This will include information regarding emergency response and evacuation procedures. *The Handbook for Campus Safety and Security Reporting 2016 Edition*, federal guideline 34 CFR 668.46(b)(13), and 34 CFR 668.46(g) will be followed when preparing the policy. The policy information will be included in the 2018 ASR.

Management's Response for the Safety Audit May 26, 2017

Management concurs with the recommendation. The police department is responsible for the College's Emergency Operations Plan and the current Emergency Management and Procedures Manual was developed several years ago to meet this responsibility.

## COLLIN COLLEGE DISTRICT – The Clery Act

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Although it addresses many of the issues needed in an Emergency Operations Plan, it does not include Incident Command System **(ICS)** and National Incident Management System **(NIMS)** processes or use a comprehensive all hazards approach to Emergency Operations.

For Emergency Operations to be effective and conform to contemporary best practices, it should be developed as an on-going process of planning, training for individuals regarding the plan and their responsibilities in an emergency, and operational management during an emergency. For this to occur, the College should establish a position of Director of Emergency Management. This is actually a component of the comprehensive safety plan developed over the past year for consideration by the Board of Trustees in the near future. The Director of Emergency Management would have responsibility for developing a comprehensive all hazards Emergency Operations Plan incorporating the Incident Command System (ICS) and the National Incident Management System (NIMS) processes as functional elements. The Director of Emergency Management would constantly review the laws affecting emergency management and the best practices in use by other institutions of higher education to ensure that the Collin College Emergency Operations Plan was up to date and meets the highest standards. If approved by the Board of Trustees, the College would move forward to recruit and hire a Director of Emergency Management this fall in FY18. It will take approximately one year for the Director of Emergency Management to update and develop the new all hazards Emergency Operations Plan. From that point forward, the Plan would be dynamic with updates as needed to meet current standards with annual audits to verify compliance with the requirements of Texas Education Code Sec. 37.108 (a).

Further, the Director of Emergency Management would conduct training for the members of the College with responsibilities during emergencies so the Emergency Operations Plan can be utilized effectively when needed. When emergencies required the coordination of more than two elements of the College or the integration with resources from outside the College, the Director of Emergency Management would function as the emergency manager for the incident/action.

### **CRITERIA**

*The Handbook for Campus Safety and Security Reporting 2016 Edition* states: The Clery Act requires every Title IV institution, without exception, to have and disclose emergency response and evacuation procedures that would be used in response to a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. This requirement does not apply to emergency situations in or on noncampus buildings or property. If, however, your institution has emergency response and evacuation procedures for noncampus buildings or properties as well, make certain that your disclosures identify which procedures apply to your on-campus property and which apply to your noncampus buildings or properties.

## COLLIN COLLEGE DISTRICT – The Clery Act

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The emergency response and evacuation requirements are intended to ensure that your institution has sufficiently prepared for an emergency situation on campus, that you are testing these procedures to identify and improve any weaknesses and that you have considered how you will inform the campus community and other individuals, such as parents and guardians, in the event of an emergency. In other words, you must **have an emergency plan, test it, evaluate it and publicize it.**

The Clery Act requires you to include a statement of policy regarding your emergency response and evacuation procedures in your annual security report along with your other security-related policy statements. In developing and disclosing your procedures, be sure to address the who, what, when and how elements. For example, explain who makes decisions and initiates procedures, the procedure for reporting an emergency, when information is released, how information is provided, etc. There is no prescribed manner in which to present the information as long as it's accurate, complete and understandable. You can use lists, flow charts, maps or other means to describe what you do in emergency situations. The important thing is that you **say what you do and do what you say.**

*Emergency response and evacuation procedures citation 34 CFR 668.46(b)(13) states:* A statement of policy regarding emergency response and evacuation procedures.

*Emergency response and evacuation procedures statement citation 34 CFR 668.46(g) states:* Emergency response and evacuation procedures. An institution must include a statement of policy regarding its emergency response and evacuation procedures in the annual security report. This statement must include—

- (1) The procedures the institution will use to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus;
- (2) A description of the process the institution will use to—
  - (i) confirm that there is a significant emergency or dangerous situation as described in paragraph (g)(1) of this section;
  - (ii) determine the appropriate segment or segments of the campus community to receive a notification;
  - (iii) determine the content of the notification; and
  - (iv) initiate the notification system.
- (3) A statement that the institution will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency;

## **COLLIN COLLEGE DISTRICT – The Clery Act**

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- (4) A list of the titles of the person or persons or organization or organizations responsible for carrying out the actions described in paragraph (g)(2) of this section;
- (5) The institution's procedures for disseminating emergency information to the larger community; and
- (6) The institution's procedures to test the emergency response and evacuation procedures on at least an annual basis, including—
  - (i) tests that may be announced or unannounced;
  - (ii) publicizing its emergency response and evacuation procedures in conjunction with at least one test per calendar year; and
  - (iii) documenting, for each test, a description of the exercise, the date, time, and whether it was announced or unannounced.



**OBSERVATION**

2. There is not a policy in place regarding an Emergency Notification.

**RECOMMENDATION**

We recommend management implement a policy regarding an Emergency Notification by following the guidelines as stated in *The Handbook for Campus Safety and Security Reporting 2016 Edition* and *federal guideline 34 CFR 668.46(e)*.

**MANAGEMENT RESPONSE**

Management concurs with the observation. Various employees from relevant areas will work together to draft a local GCC policy regarding Clery Act compliance. This will include information regarding an Emergency Notification. *The Handbook for Campus Safety and Security Reporting 2016 Edition* and *federal guideline 34 CFR 668.46(e)* will be followed when preparing the policy.

**CRITERIA**

*The Handbook for Campus Safety and Security Reporting 2016 Edition* states: Under the Clery Act, every institution is required to immediately notify the campus community upon confirmation of a significant emergency or dangerous situation occurring on the campus that involves an immediate threat to the health or safety of students or employees. An “immediate” threat as used here includes an imminent or impending threat, such as an approaching forest fire, or a fire currently raging in one of your buildings.

Your emergency response and evacuation procedures statement must include items 1–4 below:

1. The procedures the institution will use to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.
2. A description of the process the institution will use to:
  - a. confirm that there is a significant emergency or dangerous situation as described in no. 1 above;
  - b. determine the appropriate segment or segments of the campus community to receive a notification;
  - c. determine the content of the notification; and
  - d. initiate the notification system.
3. A statement that the institution will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the

## COLLIN COLLEGE DISTRICT – The Clery Act

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notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

4. A list of the titles of the person or persons or organization or organizations responsible for carrying out the actions described in nos. 2(a) through 2(d) above. *Emergency response and evacuation procedures statement citation 34 CFR 668.46(e)* states: Timely warning and emergency notification.

(1) An institution must, in a manner that is timely and that withholds as confidential the names and other identifying information of victims, as defined in section 40002(a)(20) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)(20)), and that will aid in the prevention of similar crimes, report to the campus community on crimes that are—

- (i) described in paragraph (c)(1) of this section;
- (ii) reported to campus security authorities as identified under the institution's statement of current campus policies pursuant to paragraph (b)(2) of this section or local police agencies; and
- (iii) considered by the institution to represent a threat to students and employees.

(2) An institution is not required to provide a timely warning with respect to crimes reported to a pastoral or professional counselor.

(3) If there is an immediate threat to the health or safety of students or employees occurring on campus, as described in paragraph (g)(1) of this section, an institution must follow its emergency notification procedures. An institution that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances; however, the institution must provide adequate follow-up information to the community as needed.

**OBSERVATION**

3. There is not a policy in place to encourage accurate and prompt reporting of all crimes to the campus police and the appropriate police agencies, when the victim of a crime elects to, or **is unable to**, make such a report.

**RECOMMENDATION**

We recommend management implement a policy to encourage accurate and prompt reporting of all crimes to the campus police and the appropriate police agencies, when the victim of a crime elects to, or **is unable to**, make such a report, by following the guidelines as stated in *The Handbook for Campus Safety and Security Reporting 2016 Edition* and federal guideline *34 CFR 668.46(4)(iii)*.

Ensure the policy language includes the phrase “**unable to report**”.

Once the policy is in place, the policy information should be included in the ASR.

**MANAGEMENT RESPONSE**

Management concurs with the observation. This information has been written into the draft of *2017-2018 ASR Section 2.1 Procedures for Reporting a Crime or Emergency to the Collin College Police Department* and *Section 2.2 Reporting to Local Law Enforcement*. Additionally, this information has been written into the *2017-2018 Student Handbook*, Section 6.6 *Collin College Police Department*, Subsection “Contacting Police to Report and Incident.”

**CRITERIA**

*The Handbook for Campus Safety and Security Reporting 2016 Edition* states: You must have a policy that encourages people to report all crimes in an accurate and timely manner to the campus police, if you have a campus police department, and to law enforcement agencies for your institution’s jurisdiction. The language in this statement, including the phrase “**unable to report**,” is intended to strike a balance between empowering victims to make the decision about whether and when to report a crime, and encouraging members of the campus community to report crimes of which they are aware. If your institution does not have campus police, you must state this.

*A statement of policies concerning campus law enforcement citation 34 CFR 668.46(4)(iii)* - states: Encourages accurate and prompt reporting of all crimes to the campus police and the appropriate police agencies, when the victim of a crime elects to, or is **unable to**, make such a report.

**OBSERVATION**

4. There is not a policy in place stating the institution will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is **deceased** as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim.

**RECOMMENDATION**

We recommend management implement a policy statement stating the “The institution will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is **deceased** as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim”.

Ensure the policy language includes the word “**deceased**”.

Once the policy is in place, this information should be included in the ASR.

**MANAGEMENT RESPONSE**

Management concurs with the observation. This information has been written into the following sections of the draft of the *2017-2018 ASR*:

1. Section 1.10 *Disclosure of Results of Disciplinary Proceeding to the Alleged Victim of a Crime of Violence or a Non-Forcible Sex Offense*;
2. Section 6.15 *Investigation of the Report*, Subsection “Notification of the Outcome”; and
3. Section 6.19 *Appeal*.

Additionally, this information has been written into the following sections of *2017-2018 Student Handbook* in the *Student Code of Conduct*:

1. Section 1.5 *Freedom from Sex Discrimination, Sexual Harassment, Sexual Violence, and Retaliation*, Subsection “Notification of the Outcome”;
2. Section 1.10 *Student Education Records*, Subsection “Disclosure of Student Education Records,” Item 13;
3. Section 3.4 *Administrative Decision*, Subsection “Administrative Decision Related to Crimes of Violence, Sex Discrimination, Sexual Harassment, Sex Offenses, Sexual Violence, and Retaliation”;
4. Section 5.6 *After the Hearing*; and
5. Section 6.1 *Appeal to the Designated Leadership Team Member*, and Section 6.2 *Appealing Expulsion Recommendations to the Board of Trustees*.

**CRITERIA**

*The Handbook for Campus Safety and Security Reporting 2016 Edition states: Provide a statement that the institution will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is **deceased** as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.*

**OBSERVATION**

5. The ASR includes section 2.5 *Missing Student Notification*, but there is not a current institutional Missing Student Notification policy in place.

**RECOMMENDATION**

We recommend management implement a policy regarding a Missing Student Notification by following the guidelines as stated in *The Handbook for Campus Safety and Security Reporting 2016 Edition*, federal guideline 34 CFR 668.46(b)(14), and 34 CFR 668.46(b)(14)(h).

Once the policy is in place, this information should be included in the ASR.

**MANAGEMENT RESPONSE**

Management concurs with the observation. The missing student notification procedures have been written into the completed 2016-2017 ASR and the draft of the 2017-2018 ASR. Additionally, this information and the *Missing Student Contact Information Form* are on Collin College's website under the *Clery Act* page located at <http://www.collin.edu/studentresources/deanofstudents/CleryAct.aspx>.

**CRITERIA**

*The Handbook for Campus Safety and Security Reporting 2016 Edition* states: If your institution has any on-campus student housing facilities, you are required to comply with the Department's missing student notification regulations. The Department's missing student regulations relate only to students who reside in on-campus housing. They do not address students living in any noncampus student housing your institution owns or controls. If you have multiple campuses, you have to comply with these regulations only at those that have on-campus student housing facilities. If your institution has any foreign campuses with on-campus student housing facilities, those campuses also must comply with missing student notification regulations. Note that these regulations do not address students who are residing off campus while attending study abroad programs.

*Missing student notification policy disclosure citation 34 CFR 668.46(b)(14)* states: A statement of policy regarding missing student notification procedures, as required by paragraph (h) of this section.

*Missing student notification policy disclosure citation 34 CFR 668.46(b)(14)(h)* states: Missing student notification policies and procedures.

(1) An institution that provides any on-campus student housing facility must include a statement of policy regarding missing student notification procedures for students who reside in on-campus student housing facilities in its annual security report. This statement must—

- (i) indicate a list of titles of the persons or organizations to which students, employees, or other individuals should report that a student has been missing for 24 hours;
- (ii) require that any missing student report must be referred immediately to the institution's police or campus security department, or, in the absence of an institutional police or campus security department, to the local law enforcement agency that has jurisdiction in the area;
- (iii) contain an option for each student to identify a contact person or persons whom the institution shall notify within 24 hours of the determination that the student is missing, if the student has been determined missing by the institutional police or campus security department, or the local law enforcement agency;
- (iv) advise students that their contact information will be registered confidentially, that this information will be accessible only to authorized campus officials, and that it may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation;
- (v) advise students that if they are under 18 years of age and not emancipated, the institution must notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student; and
- (vi) advise students that the institution will notify the local law enforcement agency within 24 hours of the determination that the student is missing, unless the local law enforcement agency was the entity that made the determination that the student is missing.

(2) The procedures that the institution must follow when a student who resides in an on-campus student housing facility is determined to have been missing for 24 hours include—

- (i) if the student has designated a contact person, notifying that contact person within 24 hours that the student is missing;
- (ii) if the student is under 18 years of age and is not emancipated, notifying the student's custodial parent or guardian and any other designated contact person within 24 hours that the student is missing; and
- (iii) regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, informing the local law enforcement agency that has jurisdiction in the area within 24 hours that the student is missing.

**OBSERVATION**

6. The ASR includes section 7.4 regarding Programs to Promote Awareness of Dating Violence, Domestic Violence, Sexual Violence, and Stalking, but there is not a current institutional policy in place listing a description of the institution’s educational programs and campaigns to promote the awareness of dating violence, domestic violence, sexual assault, and stalking.

**RECOMMENDATION**

We recommend management implement a policy regarding the institution’s educational programs and campaigns to promote the awareness of dating violence, domestic violence, sexual assault, and stalking by following the guidelines as stated in *The Handbook for Campus Safety and Security Reporting 2016 Edition* and *federal guideline 34 CFR 668.46(11)*.

Once the policy is in place, this information should be included in the ASR.

**MANAGEMENT RESPONSE**

Management concurs with the observation. Currently, Collin College requires all incoming students to complete online training regarding dating violence, domestic violence, sexual assault, sexual harassment, and stalking prior to registering for classes. Ongoing programs and campaigns include:

1. the Dignity Initiative,
2. Title IX on the 9s (i.e., Title IX and VAWA training), and
3. the I Got Your Back (IGYB) Project (i.e., bystander awareness and intervention), and the Paired Relationships Educational Project Experience through the Dean of Students Office.

Collin College will create a new local Board policy, GCC (LOCAL), which states the institution does offer primary and ongoing programs and campaigns to promote awareness of dating violence, domestic violence, sexual assault, and stalking and briefly describes these initiatives.

**CRITERIA**

*The Handbook for Campus Safety and Security Reporting 2016 Edition* states: The Clery Act requires you to include statements of policy in your annual security report that address your institution’s programs to prevent dating violence, domestic violence, sexual assault and stalking, and the procedures your institution will follow when one of these crimes is reported.

*Educational programs and campaigns citation 34 CFR 668.46(11)* states: A statement of policy regarding the institution’s programs to prevent dating violence, domestic violence, sexual assault, and stalking, as defined in paragraph (a) of this section, and of



## **COLLIN COLLEGE DISTRICT – The Clery Act**

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procedures that the institution will follow when one of these crimes is reported. The statement must include—

(i) a description of the institution's educational programs and campaigns to promote the awareness of dating violence, domestic violence, sexual assault, and stalking, as required by paragraph (j) of this section.

(j) programs to prevent dating violence, domestic violence, sexual assault, and stalking. As required by paragraph (b)(11) of this section, an institution must include in its annual security report a statement of policy that addresses the institution's programs to prevent dating violence, domestic violence, sexual assault, and stalking.

(1) The statement must include—

(i) A description of the institution's primary prevention and awareness programs for all incoming students and new employees.

**OBSERVATION**

7. Procedures are in place, but there is not a policy statement in the ASR or an Institutional policy in place regarding the security considerations used in the maintenance of campus facilities.

**RECOMMENDATION**

We recommend management implement a statement of policies concerning security of and access to campus facilities, including campus residences, and security considerations used in the maintenance of campus facilities, following the guidelines as stated in *The Handbook for Campus Safety and Security Reporting 2016 Edition* and *34 CFR 668.46(3)*.

Once the policy is in place, this information should be included in the ASR.

**MANAGEMENT RESPONSE**

Management concurs with the observation. Various employees from relevant areas will work together to draft a local GCC policy regarding Clery Act compliance. This will include information regarding the security considerations used in the maintenance of campus facilities. *The Handbook for Campus Safety and Security Reporting 2016 Edition and 34 CFR 668.46(3)* guidelines will be followed when preparing the policy. The policy information will be included in the 2018 ASR.

**CRITERIA**

*The Handbook for Campus Safety and Security Reporting 2016 Edition* states: A major requirement of the Clery Act is to disclose policy statements in your annual security report regarding security considerations used in the maintenance of campus facilities. This includes what your institution does regarding making sure pathways are well lit and egress lighting is working in hallways and stairwells, etc.

*Annual security report policy statements citation 34 CFR 668.46(3)* states: A statement of policies concerning security of and access to campus facilities, including campus residences, and security considerations used in the maintenance of campus facilities.

**COLLECTING STATISTICS**

- This requirement involves collecting information from individuals and organizations associated with your institution (i.e., campus security authorities or CSAs) about crimes, arrests and referrals that have been reported to them, and requesting crime and arrest statistics from local law enforcement agencies.
- Under the Clery Act, a crime is “reported” when it is brought to the attention of a campus security authority, the institution’s police department or campus safety office, or local law enforcement personnel by a victim, witness, other third party or even the offender.

**OBSERVATION**

8. There is not a process in place to kept a current listing of employees who are designated CSAs.

**RECOMMENDATION**

To ensure a listing of designated CSAs is kept current, we recommend management implement a process that tracks the names and job titles of all employees who are a CSA from the point of designation until the employee leaves the Institution or transfers to a job that does not have CSA responsibility. Also ensure the employee knows they are a CSA by making the CSA designation an official part of their job description. The listing should always be up-to-date and available at all times.

**MANAGEMENT RESPONSE**

Management concurs with the observation. Human Resources will implement the following process to keep a current listing of CSAs.

- The ALL PARM report has been used to obtain a current list of employees who require the training.
- The HR Director of Employment and Benefits has added the Manager of Employee Relations to the distribution list to receive RFP forms for new hires to determine if the position is a CSA designated position and for employees transferring into positions with a CSA designation.
  - These two actions will allow us to have a current listing of employees who are designated as CSAs.
- As for the recommendation of adding the CSA designation to job descriptions, we will give strong consideration to doing so during the implementation of the new Applicant Tracking System in 2017/2018.

**CRITERIA**

*The Handbook for Campus Safety and Security Reporting 2016 Edition* states: To determine specifically which individuals or organizations are campus security authorities

## **COLLIN COLLEGE DISTRICT – The Clery Act**

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for your institution, consider the function of that individual or office. Look for officials (i.e., not support staff) whose functions involve relationships with students. If someone has significant responsibility for student and campus activities, he or she is a campus security authority. Note that whether or not your institution pays an individual is not a factor in determining whether that individual is a CSA. Be sure to keep your CSA list current so that you do not omit any individual or organization that fits the definition of a CSA.

**OBSERVATION**

9. Some employees who are designated Campus Security Authorities (CSA) are not completing the assigned CSA compliance training timely (within 30 days of notification), if at all. The current process of sending automatic reminders one per week for four weeks along with additional email reminders sent by human resources quarterly in which the employees supervisor is copied does not ensure all employees assigned the training complete it.

**RECOMMENDATION**

To ensure compliance with CSA compliance training guidelines, we recommend the current process be improved to ensure all employees who are designate CSAs complete the assigned CSA compliance training timely. In addition, management should determine a course of action if training is not completed timely or not completed at all.

**MANAGEMENT RESPONSE**

Management concurs with the observation. Human Resources will implement the following process to encourage employees who are designated CSAs to complete assigned CSA compliance training.

- A data file is prepared (from Banner) and uploaded to EVERFI’s file transfer service (sFTP) daily. This file allows EVERFI to create user accounts and assign training courses to the learner. An important note to include is that the file pulls only records which have an active assignment in NBAJOBS. For faculty, their assignments are uploaded approximately three weeks after the start of the semester, which means they are not registered for any training courses until faculty load has been uploaded into Banner.
- Employees who have been registered for courses receive an initial notification from EVERFI that they have been registered as well as automatic reminder emails (to complete the courses). The automatic reminders are sent one per week for four weeks.
- Following the automatic reminders, an email will be sent from the Human Resources Vice President to the learner with a copy to the supervisor, reminding them the CSA training should be completed immediately. As necessary, additional email reminders will be sent quarterly by Human Resources.
- Determining a course of action if required training is not completed will be evaluated.

**CRITERIA**

*The Handbook for Campus Safety and Security Reporting 2016 Edition* states: CSAs have an important job to do and providing them with training will help to ensure that they do it properly.

Institutional guidelines require that CSA compliance training be completed within 30 days of notice.

**The Daily Crime Log – Recording Crimes Reported to Campus Police  
or Security Personnel**

Any institution, regardless of whether it's public or private, that has a campus police or security department, must create, maintain and make available a daily crime log.

**OBSERVATION**

**10.** The crime log for the most recent 60-day period was not made available when requested at one of the Collin College Police Department locations.

**RECOMMENDATION**

Collin College Police Department personnel should receive training regarding Clery Act guidelines to provide the crime log for the most recent 60-day period to anyone upon request. The training should include how to access and print the log from every Collin College Police Department location.

In addition, a link to the daily crime logs should be made available at the Collin College Police Department website.

**MANAGEMENT RESPONSE**

Management concurs with the observation. The police department will institute training for all police department personnel on how to access and print the most recent 60-day report of the daily crime log from all Collin College police department offices on all College Campuses. The log is available each day, however not all personnel have been trained on how to access it and print the document. The police department is changing record management systems this fall and this training will be included in the training on the new system. The aforementioned training should correct this short coming and is anticipated to be completed by the end of the year (2017).

Additionally, as the new webpage for the Collin College police department is developed by Public Affairs, we will work with them to incorporate a link to the daily crime log. It is anticipated that the new webpage will be completed by the end of 2017.

**CRITERIA**

*The Handbook for Campus Safety and Security Reporting 2016 Edition* states: Your log must be accessible on-site. This means if you have an additional campus with a campus police or security department, a separate log must be available at, or accessible from, that campus as well.

Format: Your log may be either hard copy or electronic. If your institution has an electronic log and there are technical problems that make it unusable, use a hard copy log as a temporary replacement until the problems are resolved.

## **COLLIN COLLEGE DISTRICT – The Clery Act**

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**Publicize Availability:** Let students and employees know that the log is available, what it contains, and where it is. You may post a notice on your website, in your security office, in your student and employee handbooks or anywhere else it's likely to be seen.

**Accessibility:** The crime log for the most recent 60-day period must be open to public inspection, free of charge, upon request, during normal business hours. You cannot require a written request. Anyone may have access to the log, whether or not they are associated with your institution. This includes the media. Make any portion of the log that is older than 60 days available within two business days of a request for public inspection.

*Daily crime log citation 34 CFR 668.46(5)* states: The institution must make the crime log for the most recent 60-day period open to public inspection during normal business hours. The institution must make any portion of the log older than 60 days available within two business days of a request for public inspection.

**OBSERVATION**

11. Some of the Daily Crime Log reports are missing data in specific categories including:

- the general location of the crime;
- the disposition of the complaint, if known; and
- the time the crime occurred.

**RECOMMENDATION**

Collin College Police Department personnel should receive training regarding Clery Act guidelines regarding the specific categories of information that must be included in the crime log. In addition, an internal review process should be established to ensure all crime log data for all required categories is correctly populated.

**MANAGEMENT RESPONSE**

Management concurs with the observation. Training for all Collin College police department personnel will be implemented to coincide with the training on access to the daily crime log discussed in the response to observation 10. The training will instruct police personnel regarding the specific categories of information that must be included in the crime log. Since the department will be changing records management systems this fall this training will be included in the training on the new system for all police department personnel. It is anticipated the new records management system will be initiated this fall and the training for the new system completed by the end of 2017. To insure quality control on the data entered in the daily crime log, a police department sergeant has been assigned to review the crime log each day and make sure that all categories of information have been entered on the daily crime log. This assignment has already been implemented.

**CRITERIA**

*The Handbook for Campus Safety and Security Reporting 2016 Edition* states: The law requires you to have a written log that can be easily understood. It also mandates specific categories of information that you must include. If you omit a category, your institution is not in compliance with the crime log requirement. The daily crime log is not intended to be a general, catch-all incident log. You may include other data elements or columns in your crime log in keeping with internal campus security record-keeping procedures, but such additional information is not required by the Clery Act. The specific categories of information that you must include are:

- the date the crime was reported;
- the date and time the crime occurred;
- the nature of the crime;
- the general location of the crime; and
- the disposition of the complaint, if known.



## **COLLIN COLLEGE DISTRICT – The Clery Act**

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*Daily crime log citation 34 CFR 668.46(f)* states: (f) Crime log:

(1) An institution that maintains a campus police or a campus security department must maintain a written, easily understood daily crime log that records, by the date the crime was reported, any crime that occurred within its Clery geography, as described in paragraph (ii) of the definition of Clery geography in paragraph (a) of this section, and that is reported to the campus police or the campus security department. This log must include—

- (i) the nature, date, time, and general location of each crime; and
- (ii) the disposition of the complaint, if known.

(2) The institution must make an entry or an addition to an entry to the log within two business days, as defined under paragraph (a) of this section, of the report of the information to the campus police or the campus security department, unless that disclosure is prohibited by law or would jeopardize the confidentiality of the victim.

(3)(i) An institution may withhold information required under paragraphs (f)(1) and (2) of this section if there is clear and convincing evidence that the release of the information would—

- (A) jeopardize an ongoing criminal investigation or the safety of an individual;
- (B) cause a suspect to flee or evade detection; or
- (C) result in the destruction of evidence.

(ii) The institution must disclose any information withheld under paragraph (f)(3)(i) of this section once the adverse effect described in that paragraph is no longer likely to occur.

(4) An institution may withhold under paragraph (f)(2) and (3) of this section only that information that would cause the adverse effects described in those paragraphs.

## **The Fire Log: Recording Fires in On-campus Student Housing Facilities**

Your institution must maintain a written, easily understood fire log that records, by the date reported, any fire that occurs in an on-campus student housing facility. You are not required to record fires that occur anywhere else on your campus in this log. Nor are you required to record fires that occur in any noncampus student housing that your school might own or control. You may, however, include other fires in the log for your institution's internal record keeping and for making the information available to the public.

### **OBSERVATION**

12. A process is not in place to maintain a fire log.

### **RECOMMENDATION**

We recommend management implement a fire log, as stated in *The Handbook for Campus Safety and Security Reporting 2016 Edition* and 34 CFR 668.49(d).

### **MANAGEMENT RESPONSE**

Management concurs with the observation. The Collin College police department will implement a fire log for the residential housing located on the Spring Creek Campus and managed by the Collin College Foundation. The fire log will provide the date a fire was reported, the nature of the fire, the date and time the fire occurred and the general location of the fire. Police department personnel will be trained in entering data into the fire log. The fire log will be incorporated in the new records management system for the police department and is anticipated to be placed in service by the end of 2017. The sergeant assigned to insure quality control of the crime log will be given the same responsibility for the fire log.

### **CRITERIA**

*The Handbook for Campus Safety and Security Reporting 2016 Edition* states:

#### **Creating a Fire Log**

##### **Required Fire Log Elements**

The law allows flexibility in how you design your fire log but you must include certain elements. For each fire, the log must include:

- the date the fire was reported;
- the nature of the fire;
- the date and time of the fire; and
- the general location of the fire.

## **COLLIN COLLEGE DISTRICT – The Clery Act**

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*Fire log citation 34 CFR 668.49(d)* states: Fire log:

- (1) An institution that maintains on-campus student housing facilities must maintain a written, easily understood fire log that records, by the date that the fire was reported, any fire that occurred in an on-campus student housing facility. This log must include the nature, date, time, and general location of each fire.
- (2) An institution must make an entry or an addition to an entry to the log within two business days, as defined under § 668.46(a), of the receipt of the information.
- (3) An institution must make the fire log for the most recent 60-day period open to public inspection during normal business hours. The institution must make any portion of the log older than 60 days available within two business days of a request for public inspection.
- (4) An institution must make an annual report to the campus community on the fires recorded in the fire log. This requirement may be satisfied by the annual fire safety report described in paragraph (b) of this section.

**ADDITIONAL CONSIDERATION**

**OBSERVATION**

The Institution has policy GCC (Legal) that is a restatement of the Federal Clery Reporting Act.

**RECOMMENDATION**

This policy should be made “Local” by adding what the Institution does to all the policy statement/requirement areas.

**MANAGEMENT RESPONSE**

Collin College will create two (2) new local Board policies:

1. GCC (LOCAL) which contains all of the *Clery Act* required information and
2. FG (LOCAL) which contains the missing student notification policy and matches the missing student notification policy written into GCC (LOCAL).

### GENERAL INFORMATION

#### SCOPE

The scope of our audit was fiscal year 2017.

Our audit and evaluation included audit tests we considered necessary in determining whether the Institution is in compliance with the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). The audit focused on policies and procedures that are currently in effect for fiscal year 2017.

Specifically, we reviewed and tested:

- to determine if the Institution knows its Clery Geography Area and is disclosing Clery Act crimes reported within this area.
- to determine if the Institution is correctly classifying and counting Clery Act Crimes.
- to determine if the Institution is collecting statistics from authorities and law enforcement agencies.
- to determine if the Institution is identifying its Campus Security Authorities' (CSA) and training them.
- to determine if the Institution creates, maintains, and makes available a daily crime log.
- to determine if the Institution discloses emergency response and evacuation procedures.
- to determine if the Institution has a timely warning procedure in place.
- to determine if the Institution has an emergency notification procedure in place.
- to determine if the Institution maintains a written, easily understood fire log that records, by the date reported, any fire that occurs in an on-campus student housing facility.
- to determine if the annual security report was published and ready to distribute by Oct. 1 of each year.
- to determine if the Institution disclosed certain policy statements in the Annual Security Report (ASR) as follows:

## COLLIN COLLEGE DISTRICT – The Clery Act

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- A statement of current campus policies regarding procedures for students and others to report criminal actions or other emergencies occurring on campus. This statement must include the institution's policies concerning its response to these reports, and must specifically address the following areas:
  - Policies for making timely warning reports to members of the campus community regarding the occurrence of Clery Act crimes.
  - Policies for preparing the annual disclosure of crime statistics.
  - A list of titles of each person or organization to whom students and employees should report Clery Act crimes for the purpose of making timely warning reports and the annual statistical disclosure.
  - Describe institutional policies or procedures for victims or witnesses to report crimes on a voluntary, confidential basis for inclusion in the annual security report.
  
- A statement of **current policies** concerning the following:
  - Security of and access to campus facilities, including campus residences.
  - Security considerations used in the maintenance of campus facilities.
  
- A statement of current policies concerning campus law enforcement, including the following:
  - The law enforcement authority and jurisdiction of security personnel.
  - The working relationship of campus security personnel with state and local law enforcement agencies, including whether those security personnel have the authority to make arrests, and any agreements, such as written memoranda of understanding between the institution and such agencies, for the investigation of alleged criminal offenses.
  - Policies which encourage accurate and prompt reporting of all crimes to the campus police and the appropriate police agencies, when the victim of a crime elects to, or is unable to, make such a report.
  - A description of procedures, if any, that encourage pastoral counselors and 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 annual disclosure of crime statistics.
  
- A statement that describes 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.

## **COLLIN COLLEGE DISTRICT – The Clery Act**

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- A description of programs designed to inform students and employees about the prevention of crimes.
- A statement of policy concerning the monitoring and recording, through local police agencies, of criminal activity in which students engaged at noncampus locations of student organizations officially recognized by the institution, including student organizations with noncampus housing facilities.
- A statement of policy regarding the possession, use and sale of alcoholic beverages and enforcement of State underage drinking laws.
- A statement of policy regarding the possession, use and sale of illegal drugs and enforcement of Federal and State drug laws.
- A description of any drug or alcohol abuse education programs as required under Section 120(a) through (d) of the HEA (otherwise known as the Drug-Free Schools and Communities Act of 1989). For the purpose of meeting this requirement, an institution may cross-reference the materials the institution uses to comply with Section 120(a) through (d) of the HEA.
- A statement that the institution will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.
- A statement of policy regarding your institution's emergency response and evacuation procedures.
- A statement of policy regarding your institution's missing student notification.
- A description of the institution's educational programs and campaigns to promote the awareness of dating violence, domestic violence, sexual assault and stalking.
- A description of the institution's primary prevention and awareness programs for all incoming students and new employees.

## COLLIN COLLEGE DISTRICT – The Clery Act

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- A statement that the institution prohibits the crimes of dating violence, domestic violence, sexual assault and stalking as those terms are defined for purposes of the Clery Act.
- The definition of “dating violence”, “domestic violence”, “sexual assault”, and “stalking”, as those terms are defined in the applicable jurisdiction.
- The definition of “consent” in reference to sexual activity, in the applicable jurisdiction.
- A description of safe and positive options for bystander intervention; and
  - information on risk reductions.
- A description of the institution’s ongoing prevention and awareness campaigns for students and employees. These campaigns must provide the same information as primary awareness and prevention programs.
- The procedures victims should follow if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred, including:
  - written information about the importance of preserving evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order;
  - how and to whom the alleged offense should be reported;
  - options about the involvement of law enforcement and campus authorities, including notification of the victim’s option to notify proper law enforcement authorities, including on-campus and local police;
  - be assisted by campus authorities in notifying law enforcement authorities if the victim chooses; and
  - declines to notify such authorities.
- Where applicable, the rights of victims and the institution’s responsibilities for orders of protection, “no contact” orders, restraining orders, or similar lawful orders issued by a criminal, civil or tribal court, or by the institution.
- Information about how the institution will protect the confidentiality of victims and other necessary parties, including how the institution will:
  - complete publicly available recordkeeping, including Clery Act reporting and disclosures, without inclusion of personally identifying information about the victim; and
  - maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.



- A statement that the institution will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community.
- A statement that the institution will provide written notification to victims about options for, available assistance in, and how to request changes to academic, living, transportation and working situations or protective measures. The institution must make such accommodations or provide such protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.
- A clear statement of policy that addresses the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault or stalking and that:
  - describes each type of disciplinary proceeding used by the institution; the steps, anticipated timelines, and decision-making process for each type of disciplinary proceeding; how to file a disciplinary complaint; and how the institution determines which type of proceeding to use based on the circumstances of an allegation of dating violence, domestic violence, sexual assault or stalking;
  - describes the standard of evidence that will be used during any institutional disciplinary proceeding arising from an allegation of dating violence, domestic violence, sexual assault or stalking;
  - lists all the possible sanctions that the institution may impose following the results of any institutional disciplinary proceeding for an allegation of dating violence, domestic violence, sexual assault or stalking;
  - describes the range of protective measures that the institution may offer to the victim following an allegation of dating violence, domestic violence, sexual assault or stalking;
  - provides that the proceedings will include a prompt, fair and impartial process from the initial investigation to the final result;
  - be conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault and stalking and on how to conduct an investigation and hearing process that protects the safety of the victims and promotes accountability;
  - provide the accuser and the accused with the same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice;

- not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding; however, the institution may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;
- require simultaneous notification, in writing, to both the accuser and the accused of:
  - the result of any institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault or stalking;
  - the institution’s procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding, if such procedures are available;
  - any change to the result; and
  - when such results become final.
- A statement that, when a student or employee reports to the institution that the student or employee has been a victim of dating violence, domestic violence, sexual assault or stalking, whether the offense occurred on or off campus, the institution will provide the student or employee a written explanation of the student’s or employee’s rights and options.
- A statement advising the campus community about where law enforcement agency information provided by a state concerning registered sex offenders may be obtained, such as the law enforcement office of the institution, a local law enforcement agency with jurisdiction for the campus or a computer network address.

### CRITERIA

We utilized the *International Standards for the Professional Practice of Internal Auditing* as guidance for conducting the audit.

This review emphasized, but was not limited to, compliance with:

- *Code of Federal Regulations Title 34, Part 668.46, Institutional Security Policies and Crime Statistics*
- *The Handbook for Campus Safety and Security Reporting 2016 Edition*
- *Collin College Board Policy FA (Legal)*
- *Collin College Board Policy FFDA (Local)*
- *Collin College Board Policy FG (Legal)*
- *Collin College Board Policy FM (Local)*
- *Collin College Board Policy FMA (Local)*

## **COLLIN COLLEGE DISTRICT – The Clery Act**

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- *Collin College Board Policy GAC (Legal)*
- *Collin College Board Policy GCC (Legal)*

### **AUDIT TEAM**

Darren Smith, Senior Internal Auditor

## ADDENDUM A

The *Clery Act* **On-campus** definition (*citation 34 CFR 668.46(a)*) includes the following:

*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 that is within or reasonably contiguous to the area identified in paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).*

*The Handbook for Campus Safety and Security Reporting 2016 Edition* states:

The first part of this definition states that, for Clery Act reporting purposes, your campus includes buildings and properties that meet all of the following criteria:

- your institution owns or controls them;
- they are reasonably contiguous to one another; and
- they directly support or relate to the institution's educational purposes.

### **So what does this mean?**

**Controlled by** means that your institution (or an institution-associated entity as described below) directly or indirectly rents, leases or has some other type of **written** agreement (including an informal one, such as a letter or an e-mail) for use of a building or property, or a portion of a building or property. Even if there is no payment involved in the transaction, for Clery Act purposes, a written agreement for the use of space gives your institution control of that space for the time period specified in the agreement. For example, if your campus consists of leased space comprising the entire third floor of an office building, you are in control of the third floor. A reported crime that occurs on the third floor (rooms, hallway, restrooms), or in the lobby, stairwell or elevator that students must use to access the third floor, is considered to have occurred "on campus." If the agreement gives your institution use of the parking lot or specific spaces in the lot, the parking lot or the specified section of the lot is also part of your on-campus geography. To emphasize: Your control extends as far as the space specified in your written agreement along with any area your students and employees have to use to access that space. So, if you lease the third floor of the building and a crime occurs on an elevator in the building during the period of time covered by your lease, you must include that crime in your *Clery Act* statistics.

Note that for the purposes of the Clery Act, if you have an **institution-associated foundation, holding company, subsidiary, alumni association, athletic booster**

**club, or any other institution-associated entity** that owns or controls a building or property that is operated in support of, or in relation to, your institution's educational purposes, your institution is considered to be in control of that building or property. **State ownership** of a building or property used in support of, or in relation to, the educational purposes of a state school also establishes institutional control of that building or property.

**Institution-associated hospitals and/or medical centers** that are controlled by your institution and reasonably contiguous with your campus should be included as part of your campus. Beyond formal legal arrangements, other factors that are considered in determining whether, for Clery Act purposes, the institution controls a hospital or medical center include overlapping faculty/doctors, overlapping boards of directors or officers, use of the hospital or medical center as part of the institution's educational program, geographic proximity, an ongoing relationship between the institution and the hospital, and whether students consider the hospital or medical center to be part of the campus.

**Reasonably contiguous** refers to a building or property your institution owns or controls that's in a location that you and your students consider to be, and treat as, part of your campus. An example might be a house two blocks from campus that's owned by your institution and which is used as an art studio for your students. Generally speaking, it is reasonable to consider locations within one mile of your campus border to be reasonably contiguous with your campus. However, this determination must be made on a case by case basis by taking into consideration the circumstances of the campus and the location. A location that is within one mile of campus but separated from campus by a river or a six-lane highway might not be considered contiguous unless a pedestrian bridge or tunnel connects the two sides. If you exclude from the definition of campus for Clery Act purposes a building or property your institution owns or controls that is within one mile of your campus you must be able to explain your basis for this decision.

**Directly support, or relate to, the institution's educational purposes** refers to the function of the building or property. For example, the dorms on your campus that house your students support the school's educational purposes. However, a high school that is located on your campus, but is otherwise not associated with your institution and is not used by your students or employees for any reason, does not. On the other hand, if the high school is used by your students and employees as part of your institution's educational program it would be part of your campus.

The second part of the on-campus definition requires you to include buildings and properties within your campus, or reasonably contiguous to it that meet all three of the following criteria:

- your institution owns but does not control them;
- they are frequently used by your students; and
- they are used to support the institution's educational purposes.

## **COLLIN COLLEGE DISTRICT – The Clery Act**

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Examples are a bookstore or a fast-food restaurant that leases space in your student center. Remember that these entities are considered to be part of your “on-campus” geography because you own the building, your students frequently use the space, and it supports your institution. Joe’s Fried Chicken Emporium across the street from your student center would not be included in your on-campus geography even though many of your students eat there daily, if your institution does not own or control it.