Purpose and Summary

The University of Arizona (University) is committed to providing a safe and secure working and learning environment, consistent with its obligations under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). The Clery Act requires colleges and universities participating in federal financial aid programs to comply with various requirements in the furtherance of consumer protection.

The Clery Act Compliance Policy clarifies University commitments and the applicability of the Clery Act throughout the University.

Scope

This Policy applies to the University Community, including students, employees, volunteers, contractors, vendors, and visitors and to all University locations and Clery Geography.
Definitions

Annual Security and Fire Safety Report (ASR) means the report containing University policy statements and procedures addressing campus security and fire safety. This report also contains statistics of Clery Crimes and certain fire safety statistics for the three most recent calendar years occurring on University Clery Geography.

Campus Community means, for the purposes of Clery Timely Warnings and Emergency Notifications, all current students, faculty, and staff who have been issued a University email account, members of the public who have opted into the UAlert/Emergency alert system, and campus visitors present at a University location who are required to be notified when a safety or security threat, including an emergency, occurs.

Campus Security Authority (CSA) means specific individuals, groups of individuals, and organizations/offices designated the role of CSA as a result of their institution related function(s) based upon their position or due to official job duties, ad hoc responsibilities, volunteer agreements or similar. CSAs are required to facilitate the collection of accurate crime statistics by formally notifying the University of Clery Crimes observed by them or reported to them by another individual and to provide VAWA crime victims with information on crime reporting and victim support resources (i.e., Victim Rights and Options).


Clery Crimes means the following crimes which are designated as reportable under the Clery Act:

Primary Criminal Offenses - murder and non-negligent manslaughter, manslaughter by negligence, sexual assault (rape, fondling, incest, and statutory rape), robbery, aggravated assault, burglary, motor vehicle theft, and arson.

Hate Crimes - any Primary Criminal Offenses and any incidents of larceny-theft, simple assault, intimidation, or destruction/damage/vandalism to property that were motivated by bias.

Violence Against Women Act (VAWA) Offenses - dating violence, domestic violence, and stalking.

Weapons, Drug, and Liquor Law Violations - arrests and/or referrals for disciplinary action for: a) liquor law violations, b) drug law violations, and c) carrying or possessing illegal weapons.

Clery Geography means buildings and properties owned or controlled by the University including those on each separate campus and considered to be:

“on campus” buildings or property owned or controlled by the University within the same reasonably contiguous geographic area; or buildings or property within the same reasonably contiguous areas, owned by the institution but controlled by another person, frequently used by students, and supporting educational purposes. This category includes on campus student housing facilities.

“noncampus” buildings or property owned or controlled by the University used in direct support of, or in relation to, the University’s educational purposes, frequently used by students, and not within the reasonably contiguous geographic area of the University; or buildings or property owned or controlled by a registered student organization.
“public property” thoroughfares, streets, sidewalks, and parking facilities that are within the campus or immediately adjacent to and accessible from the campus.

“separate campus” buildings or property that are an additional location that: (a) the institution owns or controls, (b) is not reasonably geographically contiguous with the main campus, (c) has an organized program of study, and (d) there is at least one person on-site acting in an administrative capacity.

Emergency Notification means notification to the Campus Community upon confirmation of a significant emergency or dangerous situation occurring on campus, involving an immediate threat to the health or safety of students, employees, or visitors.

Timely Warning means notification to the Campus Community of a reported Clery Crime(s) that occurred on specified geography and represent a serious or continuing threat to the safety of students, employees, or visitors.

Title IX means Title IX of the Education Amendments of 1972 (Title IX) a federal civil rights law codified at 20 U.S.C § §1681-1688.

University Community means, for the purpose of this Policy, all University employees, students, designated campus colleagues, invited guests, and members of the public present on University property for legitimate and lawful purposes, including vendors, contractors, and volunteers.

University Official means any individual who has the authority and duty to take action or respond to particular issues on behalf of the University; these individuals document any fire reported to them which occurs in an on campus student housing facility.

Violence Against Women Act (VAWA) means the Violence Against Women Reauthorization Act of 2013 which amended the Clery Act to require certain policies, procedures and programs related to sexual assault, dating violence, domestic violence, and stalking.

Policy

I. Institutional Responsibilities

1. The University, on an annual basis, will:

   a. Identify and designate CSAs; provide training concerning CSA crime reporting and related obligations.

   b. Request and collect reports of Clery Crimes made to CSAs and other law enforcement agencies.

   c. Compile statistics of Clery Crimes reported to CSAs or other law enforcement agencies that were reported to have occurred on Clery Geography.

   d. Publish the ASR by the publication deadline established by the U.S. Department of
Education, which addresses the University main and separate campuses.

The ASR will contain the following:

i. Safety and security-related policy statements (including Emergency Notification and evacuation procedures);

ii. Procedures for institutional disciplinary action in cases of sexual assault, dating violence, domestic violence, and stalking;

iii. Drug and alcohol related policy statements (including a description of substance abuse prevention programs);

iv. Safety and security-related prevention programs (including programs to prevent sexual assault, dating violence, domestic violence, and stalking);

v. Clery Crime statistics;

vi. Fire statistics for each on campus student housing facility;

vii. Fire safety information related to on campus student housing facilities;

viii. Missing student notification procedures applicable for students residing in on campus student housing facilities; and

ix. Any additional information required by the U.S. Department of Education.

   e. Submit Clery Crime and fire statistics to the U.S. Department of Education.

   f. Distribute an annual notice of the availability of the ASR to all current students and employees by the publication deadline established by the U.S. Department of Education.

The annual notice of availability will contain: a statement of the report’s availability; a brief description of the information contained in the report; and information on accessing the report including a weblink to the report and a statement that paper copies are available upon request and how to request a copy.

   g. Provide educational primary prevention and awareness programs and campaigns related to sexual assault, dating violence, domestic violence, and stalking for incoming students and new employees.

2. The University, on an on-going basis, will:

   a. Maintain emergency response and evacuation procedures.

   b. Issue Timely Warnings for Clery Crimes that occur on Clery Geography that represent a serious or continuing threat to students and employees.

   c. Issue Emergency Notifications upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus.

   d. Maintain a daily crime log, open to public inspection.

This log will include all criminal incidents reported to the University of Arizona Police Department
(UAPD) and/or security personnel affiliated with a separate campus, if the incident occurred within the Clery Geography or UAPD’s routine patrol jurisdiction. The crime log will not include personally identifiable information about victims or accused individuals.

e. Maintain a fire log, open to public inspection; this log may be combined with the crime log.

   The fire log will include any fires that occurred in an on-campus student housing facility that is reported to a University Official. The fire log will not include personally identifiable information.

   The fire log will include: the date the fire was reported; the date and time of each reported fire, or a range if the exact date and time are not known; the nature of the reported fire; and the general location of the reported fire.

f. Maintain missing student emergency contact notification procedures for students residing in an on-campus student housing facility.

g. Make the ASR available to prospective students and employees.

h. Conduct disciplinary proceedings consistent with applicable laws and regulations, which include Title IX and VAWA.

i. Maintain available training and information for CSAs including accessible formal reporting tools, reference information, and victim’s rights and options materials.

j. Maintain available information for University Officials including accessible reporting tools.

k. Provide educational prevention and awareness programs and campaigns related to sexual assault, dating violence, domestic violence, and stalking for students and employees.

University responsibilities delegated to specific departments/units or positions will be documented and maintained as a publicly available list on the University Clery Act website [2].

University Compliance will timely update this Policy to reflect changes in regulations, regulatory guidance, and Clery Act requirements; the Policy should be read to incorporate any regulatory or legal changes.

The University will meet other operational and reporting Clery Act requirements as required by the U.S. Department of Education.

II. CSA Responsibilities include:

a. Understanding Clery Act requirements pertaining to reportable crimes;

b. Making timely formal notification to the University of Clery Crimes observed by them or reported to them;
c. Understanding Clery Act requirements pertaining to the provision of information to crime victims; and

d. Understanding the availability of training including training in EDGE Learning and on the University Clery Act website [2].

Frequently Asked Questions*

1. Where can I find definitions of Clery Act Crimes?

The Clery Act requires the University to utilize specific definitions for Clery Crimes. A detailed list of Clery Crime definitions is available on the University Clery Act website [2].

2. Where can I find more information about Emergency Notifications?

Administrative responsibility for Emergency Notifications rests with the Office of Public Safety and the University of Arizona Police Department (UAPD). Information about Emergency Notifications provided by the Office of Public Safety is available in the ASR [3] and additional information provided by UAPD is available in UAPD Policy 12.7 “UAlert Notification” [4].

3. Where can I find more information about Timely Warnings?

Administrative responsibility for Timely Warnings rests with the University of Arizona Police Department (UAPD) and is available in UAPD Policy 12.6 “Clery Timely Warning Protocol” [4].

Sources*


Current Annual Security Reports [3]


UAPD Policy 12.7 “UAlert Notification” [4]

Related Information*

Missing Student Notification Policy for Resident Students [8]

Retention Schedule Policy (Summary) [9]

U.S. Department of Education Office of Postsecondary Education/Campus Safety and Security [10]

Revision History*
07/23/2024: This new Policy is mandated by federal regulations.

- Colleges and universities participating in federal financial aid programs are required to report campus crime data, support victims of violence, and publicly outline the policies and procedures they have put into place to improve campus security.

Source URL: https://policy.arizona.edu/facilities-and-safety/clery-act-compliance-policy

Links