**Clery Act Compliance UPPS No. 01.04.42**

 **Issue No. 1
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**Sr. Reviewer: Clery Act Compliance Coordinator**

**POLICY STATEMENT**

*Texas State University is committed to maintaining a safe and secure environment for its faculty, staff, students, and visitors by maintaining Clery Act compliance.*

**01. BACKGROUND INFORMATION**

* 1. The purpose of this policy is to describe the requirements and responsibilities of the university in complying with the “[Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act of 1998,”](https://www.law.cornell.edu/uscode/text/20/1092) (commonly referred to as the Clery Act). Establishing requirements and responsibilities will facilitate compliance with the Clery Act and increase overall safety on and near Texas State University San Marcos and Round Rock campuses.

* 1. To maintain a safe and secure environment for its faculty, staff, students, and visitors and as a recipient of federal financial aid, Texas State will comply with the provisions of the Clery Act, as amended. The Clery Act requires Texas State to report specific crime statistics on and near the campus and to provide other safety and crime information to the campus community. Interpretation of the Clery Act is regularly refined by U.S. Department of Education guidance. This policy provides guidance to maximize Texas State’s efforts to comply with the Clery Act. When in the judgement of the Clery Act Compliance Coordinator, Texas State is required to deviate from this policy to satisfy new guidance. The Clery Act Compliance Coordinator, with the approval of the President’s Cabinet, will be responsible for updating this policy as needed to ensure compliance.
	2. This policy applies to both the San Marcos and Round Rock campuses.

**02. DEFINITIONS**

02.01 Campus Security Authority (CSA) – individuals at Texas State who due to official job duties, *ad hoc* responsibilities, or volunteer engagements, are required by federal law and under the Clery Act to report a crime when it has been observed by them or reported to them by another individual. These individuals typically fall under one of the following categories:

1. a member of a campus police or security department;
2. individuals responsible for campus security in some capacity but who are not members of a campus police or security department (e.g., an individual who is responsible for monitoring the entrance to Texas State property);
3. individuals or offices that are not members of a campus police or security department, but where policy directs other individuals to report criminal offenses to them or their office; and
4. officials having significant responsibility for student and campus activities, including but not limited to, student housing, student conduct, and campus judicial proceedings.

02.02 Official – any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution. These include, but are not limited to:

a. police and security personnel;

b. athletic directors or coaches;

c. faculty and staff serving as student organization advisors;

d. Housing and Residence Life Staff (excluding clerical and maintenance staff);

e. director of a campus health center;

f. coordinators of Fraternity and Sorority Life; and

g. Title IX Coordinators.

CSAs are determined based on criteria established in the [Clery Act Appendix for FSA handbook](https://www2.ed.gov/admins/lead/safety/cleryappendixfinal.pdf) and [The Handbook for Campus Safety and Security Reporting](https://www2.ed.gov/admins/lead/safety/handbookfsa.pdf).

02.03 Clery Act Crimes (Clery Crimes) – crimes required by the Clery Act to be reported annually to the Texas State community include the following:

a. criminal homicide (murder, non-negligent manslaughter, and manslaughter by negligence);

b. sex offenses (rape, fondling, statutory rape, and incest);

c. robbery;

d. aggravated assault;

e. burglary;

f. motor vehicle theft;

g. arson;

h. hate crimes (including larceny-theft, simple assault, intimidation, or destruction, damage, or vandalism of property that is motivated by bias);

i. dating violence;

j. domestic violence;

k. stalking; and

l. arrests or referrals for disciplinary action for any of the following:

1) liquor law violations;

2) drug law violations; and

3) weapon law violations.

02.04 Clery Act Geography – property that is owned, leased, or controlled by the institution which includes:

a. On-Campus Buildings or Property – any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to the institution’s educational purposes, including residence halls and property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes, such as food or retail vendors.

1) Student Housing Facilities (on-campus subset) – any student housing facility that is 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.

b. Public Property – all public property, including thoroughfares, streets, sidewalks, and parking facilities that are within the campus, or immediately adjacent to and accessible from the campus; and

c. Non-Campus Buildings or Property – any building or property owned or controlled by a student organization that is recognized by the institution; and any building or property (other than a branch campus) owned or controlled by an institution of higher education 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 (e.g., school-sponsored trips; short-stay, away trips; Education Abroad program locations).

 For a better understanding of Clery Act geography categories refer to the [Definitions of Clery Act Geography webpage](https://clery.txstate.edu/resources/definitions-of-clery-geography.html).

02.05 Emergency Notification – an announcement triggered by a significant emergency event or dangerous situation involving an immediate threat to the health or safety of Texas State’s faculty, staff, students, or visitors on Texas State campuses. This expands upon the definition of “timely warning” to include both Clery crimes and other types of emergencies or events that pose an imminent threat to the campus community.

a. Emergency Event – any event, natural or man-made, with the potential

to cause significant injuries or deaths; to shut down Texas State; disrupt operations; cause physical or environmental damage; or threaten Texas State’s reputation. Examples include:

 1) fire;

 2) hazardous materials incidents;

 3) flooding;

 4) severe weather

 (a) winter weather

 (b) hurricanes

 (c) tornados

 5) earthquakes;

 6) radiological accident;

 7) explosion;

 8) biological or chemical release;

 9) public health threat (excluding flu outbreak which is covered under

 state policy);

 10)acts of violence; and

 11)acts of terrorism.

02.06 Emergency Notification System – a mechanism established for the purpose of and dedicated to enabling Texas State officials to quickly contact or send messages to employees and students in the event of an emergency. Examples include, but are not limited, to fire alarms, sirens, alerts via email or text message, local T.V. and radio, etc.

02.07 Timely Warning – an alert triggered when Texas State determines that a crime which has already been committed but continues to present a serious or ongoing threat (e.g., a homicide, sex offense, or robbery) must be reported to the campus community.

**03. REQUIREMENTS OF THE CLERY ACT**

03.01 [Annual Security and Fire Safety Report](http://www.clery.txstate.edu/report) – By October 1 each year, the Clery Act Compliance Coordinator will publish an [Annual Security and Fire Safety Report](https://gato-docs.its.txstate.edu/jcr%3A793c6f28-e064-4eb8-b93b-86459212b13f/TEXAS%20STATE%20UNIVERSITY-REVISED%202020%20ASFSR%20-12-18-20.pdf) documenting three calendar years of Clery crime statistics, security policies and procedures, and information on the basic rights guaranteed to victims of sexual assault, such as [Texas State University System (TSUS) Sexual Misconduct Policy and Procedures](https://gato-docs.its.txstate.edu/jcr%3Af2f29ee5-4233-4ccb-9781-0cf98bc60de0/TSUS%20SYSTEM-WIDE%20SMP--Approved%208-14-20.pdf) and [Resources for Victims of Sexual Misconduct](https://compliance.txstate.edu/oeotix/sexual-misconduct/what-to-do-if-you-experience-sexual-misconduct.html). All crime statistics must be reported to the U.S. Department of Education.

This report must be made available to all current students and employees. In addition, prospective employees and students must be notified of the Annual Security and Fire Safety Report’s existence and provided a copy upon request. Paper copies of the report will be available upon request from Institutional Compliance and Ethics. In addition, the Office of Admissions, The Graduate College, the Round Rock Campus, and Human Resources will publish a link to the report with a brief description on their respective web sites.

Note: Texas State publishes a combined Annual Security and Fire Safety Report. These are not published separately.

03.02 Identify, Notify, and Train CSAs – Texas State will review and identify positions which meet the definition of a CSA once or twice a year, and notify individuals of their obligations under the Clery Act to report any and all Clery crimes witnessed by or reported to them, which may have occurred on the institution’s Clery Act geography. Texas State requires that all CSAs complete training on their responsibilities and reporting requirements under the Clery Act and will provide such training on an annual basis. Employees designated as CSAs are to take the online CSA Clery Act training module on the university’s selected training management system. Interns, volunteers, and contractors will take the online CSA Clery Act training module on the Canvas platform.

For questions about CSA Clery Act training, contact the Clery Act Compliance Coordinator at cleryreport@txstate.edu.

03.03 Disclose Crime Statistics – Crime statistics for incidents that occur on our Clery Act geography must be disclosed on the Annual Security Report section.

The Clery Act Compliance Coordinator is responsible for gathering crime statistics from the University Police Department (UPD), Department of Housing and Residential Life, the Office of Equal Opportunity and Title IX, Dean of Students (Student Conduct and Community Standards and Student Involvement), local law enforcement, and other CSAs.

The Clery Act requires reporting of crimes\* in the following categories:

a. criminal offenses:

 1) criminal homicide

* + 1. murder and non-negligent manslaughter
		2. manslaughter by negligence;
	1. sex offenses
		1. rape
		2. fondling
		3. incest
		4. statutory rape
	2. robbery;
	3. aggravated assault;
	4. burglary;
	5. motor vehicle theft; and
	6. arson.

b. Violence Against Women Act (VAWA) offenses:

1) domestic violence\*\*;

2) dating Violence; and

3) stalking.

c. arrests and referrals for disciplinary action (if an arrest is not made, students are referred to Student Conduct and Community Standards for disciplinary action):

1) liquor law violations;

2) drug law violations; and

3) weapon law violations.

d. hate crimes:

1) Statistics are required for the offenses listed above in addition to

the four additional categories listed below:

(a) larceny theft;

(b) simple assault;

(c) intimidation; and

(d) destruction, damage, or vandalism of property.

Hate Crimes must be reported by category of bias, including:

1) race

2) gender

3) religion

4) sexual orientation

5) ethnicity;

6) national origin;

7) gender identity; and

8) disability.

To view crime definitions, refer to the [Clery Act Crime Definitions webpage](https://clery.txstate.edu/resources/clery-act-crime-definitions.html).

*\**Unfounded crimes must be disclosed if any of the listed crimes are found to be false or baseless by UPD or any other local law enforcement agency. The Clery Act has specific guidelines for classifying a reported offense as unfounded.

*\*\**Texas State includes acts of violence committed between roommates as domestic violence, as roommates are protected under Texas law.

03.04 Issue Timely Warnings – Texas State must provide timely warnings about Clery crimes which pose a serious or ongoing threat to the campus community. This is determined by one (or more) Texas State officials who have been pre-identified in Texas State’s policy and procedures for issuing a timely warning. Because the nature of criminal threats is often not limited to a single location, timely warnings must be issued in a manner likely to reach the entire university community. Timely warnings may be issued for Clery crimes occurring on our Clery Act geography. Timely warnings will never identify the victim of the crime (for more information refer to the UPD’s General Order 211.11 Jeanne Clery Disclosure of Campus Policy and Campus Crime Statistics Act).

Exception: Crimes that would otherwise be reportable but are reported to a licensed mental health counselor or pastoral counselor, in the context of a privileged (confidential) communication, are not subject to the timely warning requirement.

03.05 Issue Emergency Notifications – Texas State is required to inform the university community about significant emergency events or dangerous situations involving immediate threats to the health or safety of Texas State employees, students, and visitors occurring on- or near campus. An emergency notification expands the definition of timely warning as it includes both Clery crimes and other types of emergencies (e.g., fire, infectious disease outbreaks, etc.). Emergency events may be localized; therefore, notifications may be tailored exclusively to the segment of the university community at risk.

Texas State must also have emergency response and evacuation procedures in place specific to its on-campus facilities. A summary of these procedures must be disclosed in the annual security report section. Additionally, the emergency response procedures must be tested annually at least once (for more information refer to UPD’s General Order 211.11 Jeanne Clery Disclosure of Campus Policy and Campus Crime Statistics Act).

Note: Exceptions occur during emergencies where issuing a notification would compromise efforts to assist a victim, contain the emergency, respond to the emergency, or mitigate the emergency. These cases will not be subject to the emergency notification requirement.

03.06 Respond to Reports of Missing Residential Students – Texas State provides every student living in Texas State housing facilities the opportunity and means to identify an individual to be contacted in an emergency, including whenever Texas State determines that a student is missing.

UPD will investigate all reports of missing students and will notify and cooperate with other law enforcement agencies, as necessary, to further the investigation (for more information refer to UPD’s General Order 302.05 Missing Persons).

Note: This section only applies to the San Marcos Campus, as the Round Rock campus does not currently have any student housing facilities.

03.07 Compile, Report, and Publish Fire Data – [The Higher Education Opportunity Act of 1998 (HEOA)](https://www.govinfo.gov/content/pkg/PLAW-110publ315/pdf/PLAW-110publ315.pdf) amended the Clery Act to include fire statistics. Environmental Health, Safety, and Risk Management (EHSRM) will produce the information to be included in the Annual Fire Safety Report section. In accordance with HEOA regulations, EHSRM must collect and disclose fire statistics for each on-campus student housing facility for the three most recent calendar years for which data are available. Each such facility must be identified in the statistics by name and street address, regardless of whether any fires have occurred.

Additionally, EHSRM will provide a description of the fire safety system in each student housing facility that is included in the Annual Fire Safety Report section. These descriptions should include mechanisms (e.g., fire extinguishers, fire doors, posted evacuation routes, etc.) or systems related to the detection, warning, and control of a fire. EHSRM will submit the Annual Fire Safety Report section to the Clery Act Compliance Coordinator for inclusion in the statistics reported to the U.S. Department of Education. The report is available on the university’s [Clery Act Compliance website](http://www.clery.txstate.edu/report).

Note: This section only applies to the San Marcos Campus, as Round Rock does not currently have any student housing facilities.

03.08 Maintain a Public Daily Crime Log – Texas State must maintain a daily crime log documenting the “nature, date, time, and general location of each crime” reported to UPD within the last 60 days, and the disposition, if known, of the reported crimes. Incidents must be entered into the log within two business days of receiving the report. The daily crime log is available on [UPD’s website](https://www.police.txstate.edu/), or in person at the Nueces Building in the San Marcos campus, during normal business hours. Requests for public inspection of daily crime log entries beyond 60 days must be made in writing and will be made available within two business days of the request.

03.09 Maintain a Public Daily Fire Log – Texas State must maintain a daily fire log documenting the nature of the fire, date the fire occurred, date and time the fire was reported, and the general location of each fire-related incident in an on-campus student housing facility reported to any Texas State official. Incidents must be entered into the log within two business days of receiving the report, and the previous 60 days of fire log entries must be available for public inspection during normal business hours. Requests for public inspection of daily fire log entries beyond 60 days will be made available within two business days of the request. The daily fire log is available with UPD, located on the Nueces Building at the San Marcos campus, during normal business hours or on the [UPD website](https://www.police.txstate.edu/).

**04.** **RESPONSIBILITIES**

04.01 The Clery Act Compliance Coordinator is responsible for

a. monitoring Texas State’s Clery Act compliance;

b. updating this policy to ensure it reflects federal legislation, as amended;

c. reviewing geographic categories annually, with the assistance of the Finance and Support Services (FSS) Planning Office (e.g., property inventory, real estate lists);

d. establishing procedures for collecting student trip information (e.g., short-stay away trips, athletic trips, student sponsored trips, Education Abroad trips, etc.) to request crime statistics from these sites annually (if they meet Clery Act requirements);

e. requesting crime statistics from state and local law enforcement agencies with jurisdiction on or within Texas State’s Clery Act geography in coordination with UPD;

f. collecting and reconciling crime statistics received by local law enforcement agencies;

g. collecting all primary and ongoing prevention program and campaign information from key departments for inclusion in the Annual Security and Fire Safety Report;

h. ensuring notices announcing the availability of the Annual Security and Fire Safety Report are properly developed and available to students and employees;

i. coordinating identification, notification, and training of Texas State’s CSAs;

j. requesting crime statistics at least annually from all CSAs;

k. coordinating, preparing, publishing, and distributing Texas State’s Annual Security and Fire Safety Report and the university’s documenting of these activities;

l. submitting crime and fire statistics to the U.S. Department of Education via the Campus Safety and Security Survey (i.e., the web-based data collection survey);

m. serving as the chair, recording secretary, and organizer for the Clery Act Compliance Committee and Clery Act Data Integrity Subcommittee;

n. overseeing the regular collection and reconciliation of campus crime data amongst offices that house significant numbers of campus crime reports, including Equal Opportunity and Title IX, Housing and Residential Life, Student Involvement, Student Conduct and Community Standards, and UPD;

o. requesting crime statistics from Human Resources and Athletics (these offices are not responsible for submitting monthly reports);

p. retaining and maintaining all required Clery Act records;

q. managing the [Clery Act Compliance website](https://compliance.txstate.edu/clery/);

r. providing remote, telephone, or in-person training to key departments and other CSAs when deemed necessary (in addition to online CSA Clery training on the SAP Portal);

s. maintaining the online CSA Clery training found on the SAP Portal and Canvas; and

t. providing paper copies of the Annual Security and Fire Safety Report upon request.

04.02 UPD is responsible for:

a. collecting, classifying, counting, and disclosing crime statistics reported to UPD to the Clery Act Compliance Coordinator;

b. regularly, ideally weekly, maintaining a detailed audit trail to identify which reported offenses should be included in the institution’s crime statistics to provide to the Clery Act Compliance Coordinator;

c. creating and maintaining the daily crime and fire log;

d. receiving and evaluating [CSA Clery Act Incident Report forms](https://txstate.co1.qualtrics.com/jfe/form/SV_5mx7NLgH4WcLjSK) and UPD incident reports for statistical counting, a daily crime log entry, and verification of required timely warnings or emergency notifications;

e. ensuring that all fires not immediately known to be accidental are investigated or considered by the institutional official designated to make arson determinations;

f. investigating bias-related incidents for purposes of determining whether a reportable hate crime has occurred;

g. assessing crime reports for purposes of determining whether a timely warning should be distributed;

h. assessing either unilaterally or collaboratively with other subject matter experts whether a situation requires an emergency notification;

i. providing the Clery Act Compliance Coordinator with information on the departments ongoing prevention and awareness programs and campaigns to prevent dating violence, domestic violence, sexual assault, and stalking. This is done in order to satisfy Clery Act requirements and appropriately record them in the Annual Security and Fire Safety Report;

j. investigating all reports of missing student residents by notifying and cooperating with other law enforcement agencies, as necessary (this applies to students missing from San Marcos campus residential housing only); and

k. conducting a Clery Act compliant “test” which includes scheduled drills, exercises, and appropriate follow-through activities, designed for assessment and evaluation of emergency plans and capabilities. The test must address emergency response and evacuation on a campus-wide scale.

04.03 CSAs are responsible for:

a. understanding Clery Act requirements pertaining to reportable crimes;

b. completing training and education, as determined by the Clery Act Compliance Coordinator; and

c. immediately reporting Clery crimes to UPD.

04.04 Dean of Students (Student Conduct and Community Standards) is responsible for:

a. collecting, classifying, counting, and disclosing crime statistics (including, but not limited to, referrals for disciplinary action involving liquor law violations, drug law violations, and weapon law violations) reported to their department to the Clery Act Compliance Coordinator during the regular reconciliation meetings;

b. regularly, ideally weekly, maintaining a detailed audit trail to identify which reported offenses should be included in the institution’s crime statistics to provide to the Clery Act Compliance Coordinator;

c. promptly forwarding (using the [CSA Clery Act Incident Report form](https://txstate.co1.qualtrics.com/jfe/form/SV_5mx7NLgH4WcLjSK)) any Clery crimes that are reported to CSAs in the Dean of Students (Student Conduct and Community Standards) Office or function that are not referred from UPD in order to assess crime reports for purposes of timely warnings or emergency notifications; and

d. ensuring adherence to all Clery Act required processes, procedures, policies, and other system requirements of university disciplinary systems. For example, Texas State must disclose, upon written request, to an alleged victim of a crime of violence, the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such crime or offense.

04.05 Department of Housing and Residential Life is responsible for:

a. collecting, classifying, counting, and disclosing crime statistics reported to the Department of Housing and Residential Life to the Clery Act Compliance Coordinator;

b. regularly, ideally weekly, maintaining a detailed audit trail to identify which reported offenses should be included in the institution’s crime statistics to provide to the Clery Act Compliance Coordinator;

c. promptly forwarding (using the [CSA Clery Act Incident Report form](https://txstate.co1.qualtrics.com/jfe/form/SV_5mx7NLgH4WcLjSK)) any Clery crimes that are reported to CSAs in the Department of Housing and Residential Life or function, that were not referred or reported by UPD (this will allow UPD to assess crime reports for purposes of timely warnings or emergency notifications);

d. ensuring all students residing in on-campus, student housing facilities are provided with an annual opportunity to designate one or more contacts Texas State is allowed to notify in the event the student resident is reported missing. This is separate from any general emergency contacts the student may also designate;

e. maintaining missing persons contact information confidentially and separately from general emergency contact information;

f. providing the Clery Act Compliance Coordinator with copies of any contracts or other off-campus, living agreements to evaluate for Clery Act geography purposes; and

g. ensuring that Texas State correctly discloses all Clery Act required processes, procedures, policies, systems, etc., related to university student housing in the Annual Security and Fire Safety Report.

04.06 The vice president for Student Success, or designated offices, is responsible for:

a. ensuring the availability of Clery Act defined awareness and prevention programming for all students. Such programming will be part of Texas State’s awareness and prevention campaign. This programming will be identified, provided, or facilitated in collaboration with campus and local subject matter experts, with guidance from evidence-based research, and outcomes assessments satisfying Clery Act requirements.

04.07 Dean of Students Office (Fraternity and Sorority Life) is responsible for:

a. promptly forwarding (using the [CSA Clery Act Incident Report form](https://txstate.co1.qualtrics.com/jfe/form/SV_5mx7NLgH4WcLjSK)) any Clery crimes that are reported to CSAs in the Dean of Students Office (Fraternity and Sorority Life) or function that are not referred from UPD so they may assess crime reports for purposes of timely warnings or emergency notifications;

b. annually certifying the locations that are owned or controlled by fraternities and sororities;

c. promptly notifying the Clery Act Compliance Coordinator of any changes to locations that are owned or controlled by fraternities and sororities;

d. notifying the Clery Act Compliance Coordinator of any fraternities or sororities that lose institutional recognition; and

e. annually, notifying the Clery Act Compliance Coordinator of any advisors to fraternities or sororities, or promptly notifying upon change or revision of advisors so they can be trained and identified as CSAs.

04.08 Student Involvement is responsible for:

a. promptly forwarding (using the [CSA Clery Act Incident Report form](https://txstate.co1.qualtrics.com/jfe/form/SV_5mx7NLgH4WcLjSK)) any Clery crimes that are reported to CSAs in the Student Involvement office or function that are not referred from UPD so they may assess crime reports for purposes of timely warnings or emergency notifications;

b. collecting, classifying, counting, and disclosing crime statistics reported to their department to the Clery Act Compliance Coordinator;

c. regularly, ideally weekly, maintaining a detailed audit trail to identify which reported offenses should be included in the institution’s crime statistics to provide the Clery Act Compliance Coordinator;

d. annually providing the Clery Act Compliance Coordinator with a list of advisors of any recognized and registered student organizations and providing prompt notification of any changes to the list in order to identify and train these officials as CSAs;

e. implementing a system (as part of the application to be recognized and registered, or to maintain recognition and registration) to gather information about any locations a student organization owns or controls so that Texas State can request and disclose statistics for those locations;

f. promptly providing copies of any registered student organization’s travel forms submitted to Student Involvement to the Clery Act Compliance Coordinator; and

g. reviewing the Annual Security and Fire Safety Report to ensure its content is consistent with Texas State policies and procedures, and it accurately depicts the practices of the university.

04.09 The Fire Marshal and Environmental Health, Safety, and Risk Management are responsible for:

a. producing the Annual Fire Safety Report section in accordance with the current legislation and updating the Annual Security and Fire Safety Report language to reflect legislative updates and interpretations;

b. providing the Annual Fire Safety Report section statistics to UPD within two business days to ensure proper entry in the daily fire log;

c. maintaining a list of all drills and exercises conducted by the university;

d. conducting an annual test of the university’s emergency response and evacuation procedures that meet all Clery Act requirements, including documenting compliance activity and providing proofs to the Clery Act Compliance Coordinator;

e. tracking the number of fire drills included in each residential facility (for reporting in the Annual Fire Safety Report section);

f. tracking the number of fires in each residential facility (for reporting in the Annual Fire Safety Report section);

g. annually notifying the Clery Act Compliance Coordinator any titles of persons or organizations to which students and employees should report fires, including prompt notification of changes to these persons or organizations;

h. annually providing the Clery Act Compliance Coordinator with a list of any fire safety education and training programs provided to students and employees;

i. annually providing the Clery Act Compliance Coordinator with fire safety system information for student housing facilities;

j. reviewing the Annual Security and Fire Safety Report to ensure its content is consistent with Texas State policies and procedures, and it accurately depicts the practices of the university.

04.10 Office of Undergraduate Admissions is responsible for:

a. providing a paper copy of the Annual Security and Fire Safety Report upon request to prospective or current students;

b. ensuring Texas State provides prospective students with the required four-part notice of availability of the Annual Security and Fire Safety Report before admission (largely via [the Undergraduate Admissions website](https://www.admissions.txstate.edu/future-students.html)).

04.11 The Graduate College is responsible for:

a. providing a paper copy of the Annual Security and Fire Safety Report upon request to prospective or current students; and

b. ensuring that Texas State provides prospective students with the required four-part notice of availability of the Annual Security and Fire Safety Report before admission (largely via [The Graduate College website](https://www.gradcollege.txstate.edu/admissions.html)).

04.12 The Office of the University Registrar is responsible for:

a. providing the Clery Act Compliance Coordinator with all academic locations each semester in order to determine the applicability of the Clery Act at those locations.

04.13 Human Resources is responsible for:

a. providing a paper copy of the Annual Security and Fire Safety Report upon request to prospective or current faculty or staff members;

b. promptly forwarding (using the [CSA Clery Act Incident Report form](https://txstate.co1.qualtrics.com/jfe/form/SV_5mx7NLgH4WcLjSK)) any Clery crimes that are reported to CSAs in Human Resources or function that are not referred from UPD so they may assess crime reports for purposes of timely warnings or emergency notifications;

c. collecting, classifying, counting, and disclosing crime statistics reported to their department to the Clery Act Compliance Coordinator;

d. regularly, ideally weekly, maintaining a detailed audit trail to identify which reported offenses should be included in the institution’s crime statistics to provide the Clery Act Compliance Coordinator;

e. assisting in integration of CSA responsibilities into applicable position descriptions (best practice);

f. notifying the Clery Act Compliance Coordinator of any new hires and departures to ensure incoming personnel (or individuals assuming interim responsibilities in the absence of a permanent hire) can be notified of any CSA responsibilities and training;

g. ensuring that Texas State provides prospective employee with the required four-part notice of availability of the Annual Security and Fire Safety Report before they are hired (largely via [Job Opportunities at Texas State website](https://jobs.hr.txstate.edu/));

h. ensuring all Clery Act required processes, procedures, policies, etc., are satisfied (e.g., the documentation of alcohol and drug policies and abuse support resources); and

i. reviewing the Annual Security and Fire Safety Report to ensure its content is consistent with Texas State policies and procedures, and it accurately depicts the practices of the university.

04.14 Athletics is responsible for:

a. annually providing all conduct referral data to the Clery Act Compliance Coordinator for inclusion in the Annual Security and Fire Safety Report;

b. ensuring staff in key CSA roles are familiar with Clery Act requirements;

c. promptly forwarding (using the [CSA Clery Act Incident Report form](https://txstate.co1.qualtrics.com/jfe/form/SV_5mx7NLgH4WcLjSK)) any Clery crimes that are reported to CSAs in Athletics or function that are not referred from UPD so they may assess crime reports for purposes of timely warnings or emergency notifications;

d. notifying the Clery Act Compliance Coordinator of any locations that are controlled by athletic teams (such as lodging for repeated use and short-stay, away trips and locations where a written agreement provides Texas State with control, such as leased space like golf courses, fields, etc.);

e. annually providing the Clery Act Compliance Coordinator with a list (as well as prompt updates of changes to the list) of all individuals who are coaches, assistant coaches, and athletic directors, trainers, sport, or program coordinators, etc., designated as CSAs in order for them to be identified and trained as CSAs;

f. reviewing the Annual Security and Fire Safety Report to ensure its content is consistent with Texas State policies and procedures, and it accurately depicts the practices of the university.

04.15 Office of Equal Opportunity and Title IX is responsible for:

a. promptly forwarding (using the [CSA Clery Act Incident Report form](https://txstate.co1.qualtrics.com/jfe/form/SV_5mx7NLgH4WcLjSK)) any Clery crimes that are reported to CSAs in the Office of Equal Opportunity and Title IX or function that are not referred from UPD so they may assess crime reports for purposes of timely warnings or emergency notifications;

b. collecting, classifying, counting, and disclosing crime statistics reported to their department to the Clery Act Compliance Coordinator. This includes maintaining an audit trail to identify all reported offenses;

c. regularly, ideally weekly, maintaining a detailed audit trail to identify which reported offenses should be included in the institution’s crime statistics to provide to the Clery Act Compliance Coordinator;

d. ensuring that officials involved in the investigation or resolution of dating violence, domestic violence, sexual assault, or stalking receive annual training on these issues, and on how to conduct an investigation and hearing process that protects the safety of the victims and promotes accountability;

e. providing the Clery Act Compliance Coordinator with information on the institution’s ongoing prevention and awareness programs and campaigns to prevent dating violence, domestic violence, sexual assault, and stalking to satisfy Clery Act requirements and appropriately record in the Annual Security and Fire Safety Report;

f. ensuring that institutional sexual misconduct and response policies conform to the procedural requirements associated with the [Violence Against Women Act Amendments to the Clery Act](https://www.federalregister.gov/documents/2014/10/20/2014-24284/violence-against-women-act);

g. reviewing the Annual Security and Fire Safety Report to ensure its content is consistent with Texas State policies and procedures, and it accurately depicts the practices of the university; and

h. developing a process to provide students and employees who report that they have been a victim of dating violence, domestic violence, sexual assault, or stalking with a written explanation of the student's or employee's rights and options under the Clery Act.

04.16 Education Abroad Office is responsible for:

a. promptly forwarding (using the [CSA Clery Act Incident Report form](https://txstate.co1.qualtrics.com/jfe/form/SV_5mx7NLgH4WcLjSK)) any Clery crimes that are reported to CSAs in the Education Abroad Office or function that are not referred from UPD so they may assess crime reports for purposes of timely warnings or emergency notifications;

b. notifying the Clery Act Compliance Coordinator of any education abroad advisors and program leaders in advance of travel in order for them to be trained and identified as CSAs; and

c. providing copies of any submitted Education Abroad Office travel forms and agreements to the Clery Act Compliance Coordinator.

04.17 Office of Distance and Extended Learning is responsible for:

a. promptly forwarding (using the [CSA Clery Act Incident Report form](https://txstate.co1.qualtrics.com/jfe/form/SV_5mx7NLgH4WcLjSK)) any Clery crimes that are reported to CSAs in the Office of Distance and Extended Learning or function that are not referred from UPD so they may assess crime reports for purposes of timely warnings or emergency notifications;

b. notifying the Clery Act Compliance Coordinator of program leaders in advance of travel in order for them to be trained and identified as CSAs; and

c. providing copies of any submitted extended learning travel forms and agreements to the Clery Act Compliance Coordinator.

04.18 Accounts Payable and the Travel Office are responsible for:

a. providing any submitted student travel information to the Clery Act Compliance Coordinator; and

b. ensuring the Clery Act Compliance Coordinator has access to retrieve student travel information from selected recordkeeping system.

04.19 FSS (Real Estate Office) is responsible for:

a. maintaining an updated and indexable or searchable electronic list (e.g., such as a spreadsheet), a current map of all locations owned or controlled by Texas State (the list should include dates of control or ownership as well as, where applicable, any portion of the building or facility that are owned or controlled), and records of collaboration with UPD with the purpose of identifying UPD policy outlined and Clery Act defined “patrol zone” or “patrol jurisdiction;” and

b. notifying the Clery Act Compliance Coordinator of Texas State purchases, leases, joins in written agreements for use of, or sells a location, including the dates of leases or other use agreements lifespans.

**05. REVIEWERS OF THIS UPPS**

05.01 Reviewers of this UPPS include the following:

Position Date

Clery Act Compliance Coordinator February 1 E4Y

Director, University Police February 1 E4Y

Assistant Vice President for February 1 E4Y

Institutional Compliance and

Chief Compliance Officer

**06. CERTIFICATION STATEMENT**

This UPPS has been approved by the following individuals in their official capacities and represents Texas State policy and procedure from the date of this document until superseded.

Clery Act Compliance Coordinator; senior reviewer of this UPPS

Assistant Vice President for Institutional Compliance and Chief Compliance Officer

Vice President for University Advancement

President