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Annual Security Report Checklist



ANNUAL SECURITY REPORT CHECKLIST

While the Annual Security Report Checklist contains discussions of general legal principles and specific laws, it is neither intended to be given as legal advice nor as practice of law and should not be relied upon by readers as such. Before taking any action, always check with a licensed attorney in your jurisdiction to ensure compliance with the law.

As a reminder, as policy statements or statements of policy are meant to be a summary of existing policies and procedures at the institution, each required policy statement within an annual security report should be supported by a current, underlying policy at the institution.

What's in an ASR?

Annual security reports (ASRs) reflect an institution's current, existing policies and procedures and require different elements to convey that information. The following briefly outlines what is required to be in the ASR.

Statements of Policy

A statement of policy or policy statement must reflect required elements supported by an institutional policy.

- Procedures for students and others to report criminal actions or other emergencies including how and to whom to report and options for voluntary, confidential reporting
- How and from what sources crime statistics are collected
- Accurate and prompt reporting of crimes
- Whether pastoral and professional counselors are encouraged to inform those they counsel of voluntary, confidential reporting options
- Security of and access to campus facilities and security considerations for maintenance of campus facilities
- Enforcement and arrest authority of campus public safety/law enforcement and any existing working relationship with state and local agencies
- Monitoring and recording of criminal activity at noncampus locations of officially recognized student organizations
- Possession, use, sale, and enforcement – alcohol & drugs
- Timely warning issuing circumstances including who issues the warning and how it is disseminated
- Emergency response and evacuation
- Hazing prevention and awareness programs; how to report incidents of hazing; the process used to investigate such incidents; and information on applicable local, State, and Tribal laws on hazing
- Dating violence, domestic violence, sexual assault and stalking (DVSAS) prevention, response, and disciplinary procedures
- Missing student notification (on-campus student housing)

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Descriptions

A description provides an overview of campus practices in a specific area.

- Security awareness programs
- Crime prevention programs
- Drug or alcohol-abuse education programs (Drug and Alcohol Abuse Prevention Programs (DAAPP) requirements under the Drug-Free Schools and Communities Act)

Clery Act Crime Statistics

Crime statistics provide information on Clery crimes reported for the previous three calendar years.

- Criminal Offenses
- Hate Crimes
- Hazing Incidents
- VAWA (Violence Against Women Act) Offenses
- Arrests & Referrals for Weapons, Liquor, and Drug Law Violations

Statement

A statement directs readers to specific information.

- Registered sex offenders

Annual Fire Safety Report

The Higher Education Act also requires institutions with on-campus student housing facilities to publish an annual fire safety report, which can be published in tandem with or separate from the ASR.

Fire Statistics

Fire statistics provide information on reported fires in on-campus student housing facilities for the previous three calendar years.

- Number of fires and cause of each fire
- Number of injuries related to a fire that result in treatment at a medical facility
- The number of deaths related to a fire
- The value of property damage caused by a fire

Fire Safety Information

Description of each on-campus student housing facility fire safety system, including the fire sprinkler system

- The number of regular mandatory supervised fire drills
- Policies or rules on portable electric appliances, smoking, and open flames
- Procedures for evacuation
- Policies regarding fire safety education and training programs provided to students, faculty, and staff
- Plans for future improvements in fire safety, if determined necessary by the institution

The Clery Act consists of both Congressional statute (20 USC §1092 (f)) and Department of Education regulations (34 CFR Part 668.46). While some annual security report (ASR) requirements are grounded in statute, most of these requirements are found in the regulations. There are a few additional requirements from the Higher Education Act that the Department of Education enforces alongside the Clery Act, even though they are not found in the Clery Act's statute or regulations. As a result, the ASR must also include, or clearly reference, information required by the Drug-Free Schools and Communities Act (20 USC §1011i(a)). The requirement to disclose disciplinary outcomes of violent crimes

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or non-forcible sex offenses to victims or their next of kin, was established by the Higher Education Opportunity Act and is also found in a separate section of the Higher Education Act (20 USC §1094 (a) (26)). Additionally, institutions with on-campus student housing must publish an Annual Fire Safety Report, as required by a separate section of the Higher Education Act (20 USC §1092 (i) (1)). Citations to the exact locations of each ASR requirement can be found on the following pages, including those that are not directly within the Clery Act statute or regulations.

Clery Act Statute: https://uscode.house.gov/view.xhtml?req=(title:20%20section:1092%20edition:prelim)

Clery Act Regulations: https://www.federalregister.gov/documents/2014/10/20/2014-24284/violence-against-women-act

The information below provides a list of references corresponding to key topic areas as outlined in this checklist. Each checklist item is paired with citations from the applicable sections of the Jeanne Clery Campus Safety Act (Clery Act) statute and its implementing regulations, and, in a few instances, other areas of the Higher Education Act. These references offer links to the statutory and regulatory requirements that inform ASR content. Please note the regulatory links (those beginning with 34 CFR) will link you to the direct requirement. However, we are unable to link directly to specific sections of the statute (those links beginning with 20 USC). Links to statutory requirements will take you to the statute page and you will need to locate the specific sections of the statute as cited below.

ASR Requirement	Statute	Regulation	Citation
Framing the Annual Security Report			
Preparing the Annual Security Report		✓	34 CFR Part 668.46 2 (b) (2) (ii)
Security & Access	✓	✓	20 USC §1092 (f) (1) (B) 34 CFR Part 668.46 2 (b) (3)
Law Enforcement & Jurisdiction	✓	✓	20 USC §1092 (f) (1) (C) (i) 34 CFR Part 668.46 2 (b) (4) (i)
Authority to Arrest & Relationships	✓	✓	20 USC §1092 (f) (1) (C) (i)-(ii) 34 CFR Part 668.46 2 (b) (4) (ii)
Monitoring & Reporting of Criminal Activity	✓	✓	20 USC §1092 (f) (1) (G) 34 CFR Part 668.46 2 (b) (7)
Reporting Policy Statements			
Accurate and Prompt Reporting	✓	✓	20 USC §1092 (f) (1) (C) (iii) 34 CFR Part 668.46 2 (b) (4) (iii)
Reporting of Criminal Offenses	✓	✓	20 USC §1092 (f) (1) (A) 34 CFR Part 668.46 2 (b) (2)
Voluntary Confidential Reporting		✓	34 CFR Part 668.46 2 (b) (2) (iv)
Procedures for Confidential Reporting		✓	34 CFR Part 668.46 2 (b) (4) (iv)
Timely Warnings Policy Statement			
Timely Warnings	✓	✓	20 USC §1092 (f) (3) 34 CFR Part 668.46 2 (b) (2) (i) 34 CFR Part 668.46 2 (e)
Emergency Notification & Evacuation Policy Statement			
Emergency Notification & Evacuation	✓	✓	20 USC §1092 (f) (1) (J) 34 CFR Part 668.46 2 (b) (13) 34 CFR Part 668.46 2 (g)

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ASR Requirement	Statute	Regulation	Citation
General Prevention & Awareness Programs Statement			
Security Awareness Programs	✓	✓	20 USC §1092 (f) (1) (D) 34 CFR Part 668.46 2 (b) (5)
Crime Prevention Programs	✓	✓	20 USC §1092 (f) (1) (E) 34 CFR Part 668.46 2 (b) (6)
Drug, Alcohol & Substance Abuse Policy Statement			
Alcohol Policies	✓	✓	20 USC §1092 (f) (1) (H) 34 CFR Part 668.46 2 (b) (8)
Drug Policies	✓	✓	20 USC §1092 (f) (1) (H) 34 CFR Part 668.46 2 (b) (9)
Drug Free Schools & Communities Act	✓	✓	20 USC §1092 (f) (1) (H) 34 CFR Part 668.46 2 (b) (10) 20 USC §1011i (a) (1) (A)-(E)
Hazing Policy Statements			
Hazing Policies	✓		20 USC §1092 (f) (1) (K)
Prevention Programs	✓		20 USC §1092 (f) (1) (L)
Dating Violence, Domestic Violence, Sexual Assault, and Stalking Policy Statements			
Prevention	✓	✓	20 USC §1092 (f) (8) (A) (i) 20 USC §1092 (f) (8) (B) (i) 34 CFR Part 668.46 2 (b) (11) 34 CFR Part 668.46 2 (j)
Response Procedures	✓	✓	20 USC §1092 (f) (8) (A) (ii) 20 USC §1092 (f) (8) (B) (iii), (v)-(vii) 20 USC §1092 (f) (8) (C) 34 CFR Part 668.46 2 (b) (11) (ii)-(vii)
Disciplinary Procedures	✓	✓	20 USC §1092 (f) (8) (A) (ii) 20 USC §1092 (f) (8) (B) (ii), (iv) 34 CFR Part 668.46 2 (k)
Other Required Statements			
Registered Sex Offenders	✓	✓	20 USC §1092 (f) (1) (I) 34 CFR Part 668.46 2 (b) (12)
Disclosure of Disciplinary Proceedings	✓		20 USC §1094 (a) (26)
Missing Students Policy Statement	✓	✓	20 USC §1092 (j) 34 CFR Part 668.46 2 (b) (14) 34 CFR Part 668.46 2 (h)
Annual Fire Safety Report			
Fire Safety Report	✓		20 USC §1092 (i) (1)
Annual Statistics			
Clery Act Crime Statistics	✓	✓	20 USC §1092 (f) (1) (F), (f) (6) 34 CFR Part 668.46 2 (c)

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Framing the Annual Security Report (Policy Statements for Compiling the Annual Security Report, Security and Access to Campus Facilities, and Law Enforcement & Jurisdiction)

Policies for Preparing the Annual Security Report

1. Description of how the annual security report is prepared and purpose of the report:

☐ Yes ☐ No ☐ Incomplete

2. Who prepares the annual security report:

☐ Yes ☐ No ☐ Incomplete

3. How and from what sources the crime statistics are reported:

☐ Yes ☐ No ☐ Incomplete

Key Questions for this Statement:

- Does the statement include the specific individual(s) or office(s) involved in compiling and preparing the annual security report?
- Does the statement include, at a minimum, that statistics are collected from CSAs, campus security personnel, and requested from local law enforcement?

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Security & Access

1. Security of and access to campus facilities, including campus residence halls:

☐ Yes ☐ No ☐ Incomplete

2. Security considerations used in the maintenance of campus facilities:

☐ Yes ☐ No ☐ Incomplete

Key Questions for this Statement:

- What does the institution do to keep its facilities secure?
- How do individuals gain access or are individuals prevented from gaining access to these facilities (keycards, monitors, etc.)?

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Law Enforcement & Jurisdiction

1. Addresses the enforcement authority and jurisdiction of security personnel:

☐ Yes ☐ No ☐ Incomplete

Key Questions for this Statement:

- Does the institution have any sworn or commissioned law enforcement?
- Does the statement address whether the campus security or police department are able to enforce state law, institution policy, or both?
- Does the statement address where the campus security or police department's patrol jurisdiction is and where they may operate and enforce rules and laws (e.g. on-campus, within a set patrol jurisdiction around campus, state-wide, etc.)?

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Authority to Arrest & Relationships

2. Addresses the working relationship of campus security personnel with State and local police agencies, including:

   A. Whether those security personnel have authority to make arrests:

   ☐ Yes ☐ No ☐ Incomplete

   B. Any agreements, such as written memoranda of understanding (MOU), between the institution and such agencies for the investigation of alleged criminal offenses:

   ☐ Yes ☐ No ☐ Incomplete

Key Questions for this Statement:

- If the institution employs both sworn law enforcement with arrest authority, and security officers without arrest authority, does this statement clarify which employees can arrest individuals?
- Does the statement address written or formal agreements specifically for investigations of crimes on campus? If you don't have any agreements, is that disclosed?
- Does the statement address cooperation with both local and State agencies?

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Monitoring & Reporting of Criminal Activity

1. Describes how the institution monitors and records through local police agencies criminal activity by students at noncampus locations of student organizations officially recognized by the institution, including student organizations with noncampus housing facilities: (Note: If the institution does not have any off-campus student organizations then that information must also be disclosed.)

   ☐ Yes ☐ No ☐ Incomplete

   Key Questions for this Statement:

   - If the institution does monitor noncampus locations of officially recognized student organizations, is the process described in this statement? If the institution does not do this, is that stated?
   - If the institution has no officially recognized student organizations with noncampus locations, is that stated within the ASR?
   - Does the institution have officially recognized student organizations who own or control property, even if for short lengths of time? If not, is this information disclosed?

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Reporting Policy Statements

Accurate and Prompt Reporting

1. Describes the institution's policies to encourage accurate and prompt reporting of all crimes to the campus police and appropriate police agencies when the victim of crime elects to or is unable to make such a report: (*Note: If the campus does not have a police or security department, that should be stated in the policy statement.*)

   ☐ Yes ☐ No ☐ Incomplete

   Key Questions for this Statement:

   - Does the policy encourage reporting of crimes–accurately, and in a timely manner–to the campus police/security department AND applicable local law enforcement agencies?
   - If the institution does not have a police or security department, is that information disclosed in the annual security report?

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Reporting of Criminal Offenses

1. A list of the titles of persons or offices to which the institution wants students and other members of the community to report crimes for the purposes of making timely warning reports and the annual statistical disclosure:

☐ Yes ☐ No ☐ Incomplete

Key Questions for this Statement:

- Does the annual security report provide contact information for these individuals or offices?
- Are there additional methods of reporting crimes such as online reporting forms or apps?

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Voluntary Confidential Reporting

1. Discloses whether the institution has policies or procedures for victims or witnesses to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics:

☐ Yes ☐ No ☐ Incomplete

Key Questions for this Statement:

- Do these procedures outline the process by which a victim or witness can make a voluntary, confidential report? Is it clear how this differs from normal reporting procedures?
- If the institution does not allow for voluntary, confidential reporting, is that disclosed within this statement?

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Procedures for Confidential Reporting

1. Discloses whether or not the institution has reporting procedures that encourage pastoral 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:

   ☐ Yes ☐ No ☐ Incomplete

   Key Questions for this Statement:

   - Do these procedures include verbal or written encouragement?
   - If the institution does not have these procedures, is that stated within the annual security report?

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	Definitions/Related Information
Pastoral counselor	A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.
Professional counselor	A person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of the counselor's license or certification.

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Timely Warnings Policy Statement

1. Circumstances for which a warning will be issued:
   ☐ Yes ☐ No ☐ Incomplete
2. The individual or office responsible for issuing the warning:
   ☐ Yes ☐ No ☐ Incomplete
3. The manner in which the warning will be disseminated:
   ☐ Yes ☐ No ☐ Incomplete

Key Questions for this Statement:

- Does the statement disclose standards for issuing a timely warning that meet the minimum standard for issuing a timely warning for Clery Act crimes, occurring within Clery geography, that present a serious or ongoing threat to students and employees?
- Are the offices or individuals involved in the decision-making process for issuing the warning specifically identified in the policy statement?
- Does the policy statement clearly address the possible and likely systems that will be used to communicate timely warnings to the entire campus community?

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Definitions/Related Information

Institutions must issue a timely warning for any Clery Act crime that occurs within Clery geography that is:

- Reported to campus security authorities or local police agencies; and
- Is considered by the institution to represent a serious or continuing threat to students and employees.

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Emergency Notification & Evacuation Policy Statement

Policies for Emergency Notification & Evacuation

1. Describes the process used to confirm that there is a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees:

   ☐ Yes ☐ No ☐ Incomplete

   Key Questions for this Statement:

   - Does the statement describe how the institution will confirm there is an emergency or dangerous situation (the process the school will use)?
   - Is one person solely responsible for confirming an emergency, or are there multiple layers of information gathering?
   - If there are multiple people or offices involved, what is the relationship among them?
   - Does the institution rely on outside sources for certain types of emergencies or for all emergencies?
   - How is this process coordinated?

2. Discloses process to determine which segment or segments will receive notification:

   ☐ Yes ☐ No ☐ Incomplete

   Key Questions for this Statement:

   - Does the statement describe how the determination is made for which segment or segments of the campus community receive a notification?
   - Does the statement describe what factors would lead to the determination that only a certain segment or segments would receive the emergency notification?

3. Explains how the content of the notification will be developed:

   ☐ Yes ☐ No ☐ Incomplete

   Key Questions for this Statement:

   - Who determines how much information is appropriate to disseminate at different points of time?
   - How might the content differ depending on what segments of the community the notification targets?
   - Does the institution use templates, editing pre-existing language, or any other strategies in creating the content of the emergency notification? If so, are these strategies disclosed?

4. Explains process to initiate the notification system:

   ☐ Yes ☐ No ☐ Incomplete

   Key Questions for this Statement:

   - Does the statement describe how the institution initiates notifying the campus community that there's an emergency or dangerous situation?
   - Does the institution have first responders who are alerted before anyone else?
   - Does the institution use fire alarms or public address systems to alert the campus community and follow up with text messages and posted bulletins as more specific information becomes available? Who is responsible for initiating the system?

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5. Identifies by title or office the individuals or offices responsible for these decisions or actions:

☐ Yes ☐ No ☐ Incomplete

Key Questions for this Statement:

- Does the statement provide a list of individuals (by title or position) or organizations (by name) responsible for carrying out the procedures described in the annual security report?
- If different people or organizations are responsible for different procedures or for responding to different types of emergency or dangerous situations, is this clear?

6. 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:

☐ Yes ☐ No ☐ Incomplete

Key Questions for this Statement:

- Does the statement include the specific language above?

7. Explains the institution's procedures for disseminating emergency information to the larger community:

☐ Yes ☐ No ☐ Incomplete

Key Questions for this Statement:

- Does the statement address how the institution disseminates emergency information to individuals and/or organizations outside of the campus community?
- Does the institution use different methods to target different segments of the community?
- Do procedures differ depending on the situation?
- Does the statement include information about who or what office is responsible for developing the information to be disclosed and who or what office is responsible for disseminating the information to the larger community?

8. Procedures to annually test (via regularly scheduled drills, exercises, and appropriate follow-through activities designed for assessment and evaluation of emergency plans and capabilities) the emergency response and evacuation procedures:

☐ Yes ☐ No ☐ Incomplete

Key Questions for this Statement:

- Are tests scheduled (not an emergency situation or false emergency alarm)?
- Do tests contain drills (activity that tests a single procedural operation)?
- Do tests contain exercises (involve coordination of effort)?
- Do tests contain follow-through activities (activity designed to review the test)?
- Are tests designed for assessment of emergency plans and capabilities (have measurable goals)?
- Are tests designed for evaluation of emergency plans and capabilities?

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9. Procedures to annually publicize emergency response and evacuation procedures in conjunction with the test and to document, for each test, a description of the exercise, the date, time, and whether it was announced or unannounced:

☐ Yes ☐ No ☐ Incomplete

Key Questions for this Statement:

- Does the statement describe how the institution documents each test (a description of the exercise, the date the test was held, the time the test started and ended, whether the test was announced or unannounced)?

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	Definition
Test	Regularly scheduled drills, exercises, and appropriate follow-through activities, designed for assessment and evaluation of emergency plans and capabilities.

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General Prevention & Awareness Programs Statements

Security Awareness Programs

1. Describes the type of security awareness programs offered to inform the campus community about campus security procedures and practices and to encourage the campus community to be responsible for their security and that of others:

   ☐ Yes ☐ No ☐ Incomplete

2. Indicates the frequency with which these security awareness programs are offered:

   ☐ Yes ☐ No ☐ Incomplete

   Key Questions for this Statement:

   - Does the statement include the type and frequency of programs offered to inform the campus community about campus security procedures and policies? About programs that encourage the campus community to look out for themselves and one another?
   - Does the statement address programs for both students and employees?
   - If there are no programs of this nature, is that stated within the ASR?

Crime Prevention Programs

1. Describes programs designed to inform students and employees about crime prevention:

   ☐ Yes ☐ No ☐ Incomplete

   Key Questions for this Statement:

   - Does the statement describe the programs instead of just listing titles?
   - Does the statement address programs for both students and employees?
   - If there are no programs of this nature, is that stated within the ASR?

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Drug, Alcohol, and Substance Abuse Policy Statement

Drug, Alcohol, and Substance Abuse

1. Describes the institution's policies regarding the possession, use and sale of **alcoholic beverages**:
   ☐ Yes ☐ No ☐ Incomplete
2. Describes the institution's policies regarding enforcement of **State underage drinking laws**:
   ☐ Yes ☐ No ☐ Incomplete
3. Describes the institution's policies regarding the possession, use, and sale of **illegal drugs**:
   ☐ Yes ☐ No ☐ Incomplete
4. Describes the institution's policies regarding enforcement of **Federal and State drug laws**:
   ☐ Yes ☐ No ☐ Incomplete
5. Describes the institution's drug and alcohol abuse programs required under the Drug-Free Schools and Communities Act (DFSCA) or cross-references to the materials the institution uses to comply with the DFSCA:
   ☐ Yes ☐ No ☐ Incomplete

Key Questions for this Statement:

- Does the policy statement address institutional policies regarding the possession, use and sale for alcohol and illegal drugs for both students and employees?
- Does the policy statement address information on what individual(s) or department(s) is/are primarily responsible for enforcing underage drinking and drug laws on campus?
- If the institution utilizes a cross-reference to the Drug and Alcohol Abuse Prevention Program (DAAPP) annual notification, does the provided hyperlink go directly to that document? If the institution does not, are the required elements included directly in the Annual Security Report?

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Hazing Policy Statements

1. A statement of current policies related to hazing (as defined by the institution), how to report incidents of such hazing, and the process used to investigate such incidents of hazing, and information on applicable local, State, and Tribal laws on hazing:

   ☐ Yes ☐ No ☐ Incomplete

   Key Questions for this Statement:

   - Does the statement contain definitions of hazing from university policy, and applicable local, State and Tribal laws? If there are no applicable laws, is this disclosed?
   - Does the statement provide information of individual(s) or office(s) to whom reports of hazing can be made, including contact information, email addresses or reporting forms?
   - Does the statement fully describe how the institution investigates reports of hazing? Does this process change at all depending on if it was students or employees who engaged in these hazing behaviors?

2. A statement of policy regarding prevention and awareness programs related to hazing that includes a description of research-informed campus-wide prevention programs designed to reach students, staff, and faculty:

   ☐ Yes ☐ No ☐ Incomplete

   Key Questions for this Statement:

   - Does this statement clearly describe that the components of the previous statement are taught as part of the prevention and awareness programs?
   - Does the institution provide hazing prevention comprehensively to the campus community in a manner that educates students, staff and faculty? Is this clearly communicated in the statement?
   - Does the statement provide a full description of the programs and strategies utilized to prevent hazing before it occurs, not just the name of programs that occurred?

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Dating Violence, Domestic Violence, Sexual Assault, and Stalking: Prevention Policy Statement

1. A description of the institution's educational programs and campaigns to promote the awareness of dating violence, domestic violence, sexual assault, and stalking that includes:
   A. A description of the institution's primary prevention and awareness programs for all incoming students and new employees, which must include:
      a. 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:
         ☐ Yes ☐ No ☐ Incomplete
      b. The local jurisdiction's definitions of:
         ☐ Dating Violence ☐ Domestic Violence ☐ Sexual Assault
         ☐ Stalking ☐ Consent ☐ Incomplete

      (Note: You cannot cross-reference or link to definitions; must be included in your programs and ASR policy statement.)

      c. A description of safe and positive options for bystander intervention:
         ☐ Yes ☐ No ☐ Incomplete
      d. Information on risk reduction:
         ☐ Yes ☐ No ☐ Incomplete
      e. Information on procedures the institution follows when one of these crimes is reported and rights within disciplinary proceedings (See Response Procedures to Follow and Disciplinary Proceedings sections for more information.):
         ☐ Yes ☐ No ☐ Incomplete

   B. A description of the institution's ongoing prevention and awareness campaigns for students and employees:
      ☐ Yes ☐ No ☐ Incomplete

Key Questions for this Statement:

- Does the policy statement in the ASR communicate that the statement on prohibition of these crimes is contained within the prevention programs for all students and employees?
- Are the required jurisdictional definitions included within the policy statement?
- If the local jurisdiction does not define one of the required terms, does the statement specify there is no definition in the applicable jurisdiction?
- Are safe and positive options for bystander intervention and information on risk reduction described directly within the policy statement?
- Does the information on risk reduction provided in programs and the ASR, align with the Clery Act definition of risk reduction?
- Does the statement fully describe how these elements are included in both primary prevention programs for new students and employees, and in ongoing awareness campaigns for all students employees?

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	Definitions/Related Information
Programs to prevent dating violence, domestic violence, sexual assault, and stalking	i. Comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that— A. Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research or assessed for value, effectiveness, or outcome; and B. Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels. ii. Programs to prevent dating violence, domestic violence, sexual assault, and stalking include both primary prevention and awareness programs directed at incoming students and new employees and ongoing prevention and awareness campaigns directed at students and employees.
Awareness programs	Community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.
Bystander intervention	Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.
Ongoing prevention and awareness campaigns	Programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the institution and including information [included in the required description of the institution's primary prevention and awareness programs for all incoming students and new employees.]
Primary prevention programs	Programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.
Risk reduction	Options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

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Dating Violence, Domestic Violence, Sexual Assault, and Stalking: Response Procedures to Follow Policy Statement

1. A description of the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred, including written information about:

   A. Importance of preserving evidence that may assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order:

   This statement is applied to:

   ☐ Dating Violence ☐ Domestic Violence ☐ Sexual Assault ☐ Stalking ☐ Incomplete

   B. How and to whom the alleged offense should be reported

   This statement is applied to:

   ☐ Dating Violence ☐ Domestic Violence ☐ Sexual Assault ☐ Stalking ☐ Incomplete

   Key Questions for this Statement:

   - Does the statement include specific contact information or other information on how victims can report the alleged offense?

   C. 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

   ☐ Yes ☐ No ☐ Incomplete

   Be assisted by campus authorities in notifying law enforcement authorities, if the victim so chooses

   ☐ Yes ☐ No ☐ Incomplete

   Decline to notify such authorities

   ☐ Yes ☐ No ☐ Incomplete

   Key Questions for this Statement:

   - Does the statement list any person or organization that can assist the victim and include their contact information?
   - Does the statement provide appropriate and specific contact information for the authorities, for example campus police or local law enforcement?

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D. 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:

☐ Yes ☐ No ☐ Incomplete

This statement is applied to:

☐ Dating Violence ☐ Domestic Violence ☐ Sexual Assault ☐ Stalking ☐ Incomplete

Key Questions for this Statement:

- Does the statement let individuals know what legal options are available and under what circumstances? Does it provide this information both by the institution, and by criminal, civil, and/or tribal courts as applicable?
- Does the statement disclose the institution's responsibilities for honoring such requests and complying with these orders?
- Does the statement provide clear information about what the institution does to enforce an order of protection?
- Is this information provided in writing and does the ASR clearly state this practice is followed for all victims after receiving a report?
- Does the statement advise individuals that having a forensic examination will help preserve evidence in case the victim decides at a later date to file a police report or campus disciplinary proceedings or obtain a protection order?

2. Provides information about how the institution will protect the confidentiality of victims and other necessary parties, including how the institution will:

A. Complete publicly available record keeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the victim

☐ Yes ☐ No ☐ Incomplete

B. 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 accommodations or protective measures

☐ Yes ☐ No ☐ Incomplete

This statement is applied to:

☐ Dating Violence ☐ Domestic Violence ☐ Sexual Assault ☐ Stalking ☐ Incomplete

Key Questions for this Statement:

- Does the statement disclose procedures for ensuring the victim's personally identifying information will not be included in any publicly available recordkeeping, including Clery Act reporting and disclosures such as the annual security report and the daily crime log?

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3. 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 to victims, both within the institution and in the community: (*Please see the Written Notification section for more information.*)

☐ Yes ☐ No ☐ Incomplete

Key Questions for this Statement:

- Is it clear that this written information about on and off campus services is provided to all students and employees and not just students and employees who are victims of dating violence, domestic violence, sexual assault, and stalking?

4. Statement that the institution will provide written notification to victims about **available options and assistance in the following, including how to request these changes and who to contact at the institution:** (*Please see the Written Notification section for more information.*)

This statement outlines options for:

☐ Academic situations ☐ Living situations ☐ Transportation situations
☐ Working situations ☐ Protective measures ☐ Incomplete

This statement is applied to:

☐ Dating Violence ☐ Domestic Violence ☐ Sexual Assault ☐ Stalking ☐ Incomplete

For:

☐ Students ☐ Employees ☐ Incomplete

Key Questions for this Statement:

- Does the statement name the broader categories of Academic, Living, Transportation, and Working accommodations, and Protective Measures, rather than only providing limited examples?
- Does the ASR include a statement that information is provided in writing that includes contact information on who to contact and how to request these types of accommodations?

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5. Statement that accommodations or protective measures are available 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.

☐ Yes ☐ No ☐ Incomplete

6. An explanation of the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking: (*Please see the Disciplinary Action section for more information.*)

☐ Yes ☐ No ☐ Incomplete

7. 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: (*Please see the Written Information section for more information.*)

☐ Yes ☐ No ☐ Incomplete

Key Questions for this Statement:

- Is the documentation a prepared, standardized, and written set of materials with detailed information regarding victims' rights and options?

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Dating Violence, Domestic Violence, Sexual Assault, and Stalking: Disciplinary Procedures Policy Statement

1. Explanation of the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, including:

   A. Description of each type of disciplinary proceeding used by the institution

   ☐ Dating Violence ☐ Domestic Violence ☐ Sexual Assault ☐ Stalking ☐ Incomplete

   For:

   ☐ Students ☐ Employees ☐ Incomplete

   Key Questions for this Statement:

   - Does the statement fully describe processes used to investigate and adjudicate all complaints of dating violence, domestic violence, sexual assault and stalking?
   - Does this include both students and employees as complainants and/or respondents? Does this include cases that fall inside and outside of Title IX application? Does the statement include a description of informal resolutions?

   B. Steps, anticipated timelines, and decision-making process for each type of disciplinary proceeding

   ☐ Dating Violence ☐ Domestic Violence ☐ Sexual Assault ☐ Stalking ☐ Incomplete

   For:

   ☐ Students ☐ Employees ☐ Incomplete

   Key Questions for this Statement:

   - Does the statement include a breakdown of how long each step in each process is anticipated to take?

   C. Information about how to file a disciplinary complaint

   ☐ Dating Violence ☐ Domestic Violence ☐ Sexual Assault ☐ Stalking ☐ Incomplete

   For:

   ☐ Students ☐ Employees ☐ Incomplete

   Key Questions for this Statement:

   - Does the statement make a clear distinction between a complaint for the purposes of initiating disciplinary action and requesting supportive measures or reporting for purposes of including statistics in the annual security report?
   - Does the statement include information on the individual or office to whom the complaint can be sent to initiate this action? Does this differ depending on the complainant's relationship to the institution (i.e. student, staff, faculty, etc.?)

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D. How the institution determines which type of proceeding to use based on the circumstances of an allegation

☐ Dating Violence ☐ Domestic Violence ☐ Sexual Assault ☐ Stalking ☐ Incomplete

For:

☐ Students ☐ Employees ☐ Incomplete

Key Questions for this Statement:

- Does the statement describe how the institution decides what type of proceeding will be used for which cases?

E. Description of the standard of evidence that will be used during any institutional disciplinary proceeding arising from an allegation

☐ Dating Violence ☐ Domestic Violence ☐ Sexual Assault ☐ Stalking ☐ Incomplete

For:

☐ Students ☐ Employees ☐ Incomplete

Key Questions for this Statement:

- Does the statement clearly disclose the standard of evidence for ALL disciplinary proceedings that are disclosed? If it is the same, and stated once, is it clear from the description that this standard is applied to all proceedings?

F. List of all possible sanctions the institution may impose following the results of any disciplinary proceeding

☐ Dating Violence ☐ Domestic Violence ☐ Sexual Assault ☐ Stalking ☐ Incomplete

For:

☐ Students ☐ Employees ☐ Incomplete

Key Questions for this Statement:

- Does the statement list all sanctions for each VAWA offense?
- Is the list of sanctions clearly exhaustive or does the language indicate otherwise, such as including phrases like "includes but is not limited to" or "other actions to be determined"?

G. Description of the range of protective measures that the institution may offer to the victim following an allegation

☐ Dating Violence ☐ Domestic Violence ☐ Sexual Assault ☐ Stalking ☐ Incomplete

For:

☐ Students ☐ Employees ☐ Incomplete

Key Questions for this Statement:

- Does the statement include information on protective measures available within any/all disciplinary processes such as no-contact orders, transportation assistance or security escorts, modification to academic requirements or schedules, or changes in living or working situations?

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2. Statement that the proceedings will:

   A. Include a prompt, fair, and impartial process from the initial investigation to the final result

      ☐ Dating Violence ☐ Domestic Violence ☐ Sexual Assault ☐ Stalking ☐ Incomplete

      For:

      ☐ Students ☐ Employees ☐ Incomplete

Key Questions for this Statement:

- Does the statement clearly apply to all proceedings disclosed, including all investigations, hearings and appeal proceedings?

   B. Be conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault and stalking, as well as how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability

      ☐ Dating Violence ☐ Domestic Violence ☐ Sexual Assault ☐ Stalking ☐ Incomplete

      For:

      ☐ Students ☐ Employees ☐ Incomplete

Key Questions for this Statement:

- Does the statement clearly indicate that the training takes place annually?
- Does the statement include that all individuals who conduct disciplinary proceedings receive this training, (which may include investigators, coordinators, mediators, hearing panelists, hearing officers, appointed advisors, etc.)?

   C. 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 the advisor of their choice

      ☐ Dating Violence ☐ Domestic Violence ☐ Sexual Assault ☐ Stalking ☐ Incomplete

      For:

      ☐ Students ☐ Employees ☐ Incomplete

Note - Advisor of Choice: *The institution may not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding. The institution may, however, establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.*

Key Questions for this Statement:

- Does the statement note that both the accuser and the accused must be provided with the same opportunities to be accompanied by an advisor of their choice?

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3. States that the institution will simultaneously notify, in writing, both the accuser and the accused of:

   A. The result of any institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking

      ☐ Dating Violence ☐ Domestic Violence ☐ Sexual Assault ☐ Stalking ☐ Incomplete

      For:

      ☐ Students ☐ Employees ☐ Incomplete

   B. The institution's procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding, if such procedures are available

      ☐ Dating Violence ☐ Domestic Violence ☐ Sexual Assault ☐ Stalking ☐ Incomplete

      For:

      ☐ Students ☐ Employees ☐ Incomplete

   C. Any change to the result

      ☐ Dating Violence ☐ Domestic Violence ☐ Sexual Assault ☐ Stalking ☐ Incomplete

      For:

      ☐ Students ☐ Employees ☐ Incomplete

   D. When such results become final

      ☐ Dating Violence ☐ Domestic Violence ☐ Sexual Assault ☐ Stalking ☐ Incomplete

      For:

      ☐ Students ☐ Employees ☐ Incomplete

Key Questions for this Statement:

- Does this statement apply to all disciplinary proceedings disclosed in the annual security report used to address crimes of dating violence, domestic violence, sexual assault and stalking?

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Definitions/Related Information	
Prompt, fair, and impartial proceeding	A prompt, fair, and impartial proceeding includes a proceeding that is— • Completed within reasonably prompt timeframes designated by an institution's policy, including a process that allows for the extension of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay; • Conducted in a manner that— ◆ Is consistent with the institution's policies and transparent to the accuser and accused; ◆ Includes timely notice of meetings at which the accuser or accused, or both, may be present; and ◆ Provides timely and equal access to the accuser, the accused, and appropriate officials to any information that will be used during informal and formal disciplinary meetings and hearings; and ◆ Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.
Advisor	Any individual who provides the accuser or accused support, guidance, or advice.
Proceeding	All activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact-finding investigations, formal or informal meetings, and hearings. Proceeding does not include communications and meetings between officials and victims concerning accommodations or protective measures to be provided to a victim.
Result	Any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions imposed by the institution. Notwithstanding section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly referred to as the Family Educational Rights and Privacy Act (FERPA), the result must also include the rationale for the result and the sanctions.
Personally identifying information	Defined in Section 40002(a) of the Violence Against Women Act of 1994 as individually identifying information for or about an individual, including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault or stalking, regardless of whether the information is encoded, encrypted, hashed or otherwise protected, including a first and last name; • a home or other physical address; • contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number); • a social security number, driver's license number, passport number or student identification number; and • any other information, including date of birth, racial or ethnic background, or religious affiliation that would serve to identify any individual.

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Dating Violence, Domestic Violence, Sexual Assault, and Stalking: Written Notification Checklist

Written Notification to all Students and Employees

Provided to all students and employees as an educational resource to keep them informed of on- and off-campus resources should they or someone they know experience a crime of DVSAS. Your policy statement must address that your institution provides a written notice separate from the ASR, and is recommended, but not required, to include contact information for each service provider listed.

Within the Institution

- ☐ Counseling
- ☐ Health
- ☐ Mental Health
- ☐ Victim Advocacy
- ☐ Legal Assistance
- ☐ Visa and Immigration Assistance
- ☐ Student Financial Aid
- ☐ Other Services Available for Victims

Within the Community

- ☐ Counseling
- ☐ Health
- ☐ Mental Health
- ☐ Victim Advocacy
- ☐ Legal Assistance
- ☐ Visa and Immigration Assistance
- ☐ Student Financial Aid
- ☐ Other Services Available for Victims

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Written Explanation of Rights and Options for Students and Employees

Provided when a student or employee reports to the institution that they have been a victim of dating violence, domestic violence, sexual assault or stalking, whether the offense occurred on or off campus. Your policy statement must address that your institution provides a standalone written resource separate from the ASR with the following information to the victim after receiving a report.

- ☐ Importance of preserving evidence
- ☐ How and to whom the offense should be reported
- ☐ Options about involvement of law enforcement and campus authorities
  - Option to notify proper law enforcement authorities, including on-campus and local police
  - Be assisted by campus authorities in notifying law enforcement if the victim so chooses
  - Decline to notify such authorities
  - Where applicable, the rights of victims and 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
  - Within publicly available recordkeeping
  - When implementing accommodations/protective measures
- ☐ Options for, available assistance in, and how to request changes to
  - Academic situations
  - Living situations
  - Transportation situations
  - Working situations
  - Protective measures
- ☐ Explanation of procedures for institutional disciplinary action

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Other Required Statements

Registered Sex Offenders

1. Informs the campus community where information provided by the state concerning registered sex offenders on campus (students and employees) may be found, such as the law enforcement office of the institution, a local law enforcement agency with jurisdiction for the campus, or a computer network address:

   ☐ Yes ☐ No ☐ Incomplete

   Key Questions for this Statement:

   - If the institution is within a state that does not currently register sex offenders or does not provide campus police or local law enforcement with this information, does the statement reflect this information?
   - Does the statement include only a hyperlink for how to access this information or the actual URL?

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Disclosure of Results of Disciplinary Proceedings

1. Statement that, upon request, the institution will disclose the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of any crime of violence or a non-forcible sex offense (incest or statutory rape) to the alleged victim or next of kin if the victim is deceased:

   ☐ Yes ☐ No ☐ Incomplete

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Missing Students Policy Statement

1. Does the institution have on-campus student housing facilities?

   ☐ Yes ☐ No ☐ Incomplete

2. If the institution has on-campus student housing facilities, is there a policy statement that:

   A. Indicates 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

      ☐ Yes ☐ No ☐ Incomplete

   B. Communicates a requirement that all official missing student reports are immediately referred to campus police or security department (or, in their absence, to the local law enforcement agency with jurisdiction)

      ☐ Yes ☐ No ☐ Incomplete

   C. Explains the option to identify a contact person who will be notified within 24 hours if student is determined to be missing, if the student has been determined missing by the institutional police or campus security department, or the local law enforcement agency

      ☐ Yes ☐ No ☐ Incomplete

   D. Advises students that their missing person contact information is registered and confidential, accessible only to authorized campus officials, and may not be disclosed except to law enforcement personnel in furtherance of a missing person investigation

      ☐ Yes ☐ No ☐ Incomplete

   E. Informs students under 18 and not emancipated that parents and contact will be contacted within 24 hours of being determined missing

      ☐ Yes ☐ No ☐ Incomplete

   F. Advises students that the institution will notify the local law enforcement agency within 24 hours of the determination that the student is missing

      ☐ Yes ☐ No ☐ Incomplete

      Key Questions for this Statement:

      - Does the statement provide complete titles and contact information for each official or person to whom missing student reports can be made?
      - Does the statement clearly indicate a report must be made once a student has been missing for 24 hours at most, or a shorter timeframe if required by your policy?
      - Does the statement have contact information for campus security/police and for the appropriate local law enforcement if there is no campus police or safety department?
      - Does the statement specify that this contact is registered strictly for missing persons purposes?

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Fire Safety Report and Statistics

1. Within the annual fire safety report, are there the required statistics for each on-campus student housing facility (recommendation to identify by name and street address) for:

   A. The number of fires and the cause of each fire

   ☐ Yes ☐ No ☐ Incomplete

   B. The number of persons with fire-related injuries for each fire

   ☐ Yes ☐ No ☐ Incomplete

   C. The number of fire-related deaths for each fire

   ☐ Yes ☐ No ☐ Incomplete

   D. The value of property damage caused by each fire

   ☐ Yes ☐ No ☐ Incomplete

   Key Questions for this Statement:

   - Does the statement break down the fire statistics by each housing facility?
   - If a housing facility had no reported fires in a given year, is that information disclosed within the relevant table for that housing facility for the year?

2. Does the annual fire safety report contain a statement that addresses:

   A. A description of each on-campus student housing facility fire safety system

   ☐ Yes ☐ No ☐ Incomplete

   Key Questions for this Statement:

   - Does the statement describe the fire safety system in each on-campus student housing facility?

   B. The number of fire drills held during the previous calendar year

   ☐ Yes ☐ No ☐ Incomplete

   Key Questions for this Statement:

   - If there were no fire drills held for a facility during this time period, is that indicated within the statement?

   C. Policies or rules on portable electrical appliances, smoking, and open flames in a student housing facility

   ☐ Yes ☐ No ☐ Incomplete

   Key Questions for this Statement:

   - Does the statement disclose all of the institution's policies or rules on portable electrical appliances, smoking and open flames in on-campus student housing facilities?
   - If some rules apply to certain facilities only, is that noted within the statement?

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D. Procedures for student housing evacuation in the case of a fire

☐ Yes ☐ No ☐ Incomplete

Key Questions for this Statement:

- If specific exits should be used or relocation procedures should be followed, is this stated?
- If procedures differ by student housing facility, does the statement describe the specific procedures for each facility?

E. Policies regarding fire safety education and training programs provided to students and employees (In these policies, the institution must describe the procedures that students and employees should follow in case of a fire)

☐ Yes ☐ No ☐ Incomplete

Key Questions for this Statement:

- Does the statement disclose all of the institution's policies related to fire safety education programs and fire safety training programs associated with on- campus student housing facilities?
- Does the statement include in-person and online programs as applicable?
- Does the statement describe all procedures that students and employees should follow in the case of a fire?
- Does the policy statement cover all employees involved in student housing and areas related to student housing?

F. For purposes of including a fire in the statistics in the annual fire safety report, a list of the titles of each person or organization to which students and employees should report that a fire occurred

☐ Yes ☐ No ☐ Incomplete

Key Questions for this Statement:

- Does the statement include a list of the titles of the people or organizations that should be told after the fact that a fire occurred?

G. Plans for future improvements in fire safety, if determined necessary by the institution

☐ Yes ☐ No ☐ Incomplete

Key Questions for this Statement:

- If there are no plans for future improvements, is that information disclosed in the Annual Fire Safety Report?

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	Definitions/Related Information
Fire	A fire, for the purposes of the HEA, is any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.
Cause of fire	The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.
Fire-related injury	Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term "person" may include students, employees, visitors, firefighters, or any other individuals.
Fire-related death	Any instance in which a person (1) is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or (2) dies within one year of injuries sustained as a result of the fire.
Value of property damage	The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire, and related damages caused by smoke, water, and overhaul; however, it does not include indirect loss, such as business interruption.
Fire safety system	Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire. This may include sprinkler systems or other fire extinguishing systems, fire detection devices, stand-alone smoke alarms, devices that alert one to the presence of a fire, such as horns, bells, or strobe lights; smoke-control and reduction mechanisms; and fire doors and walls that reduce the spread of a fire.
Fire drill	A supervised practice of a mandatory evacuation of a building for a fire.

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Counting Clery Act Crimes

Crime Statistics Checklist

1. The institution reports to the Department and discloses in its annual security report statistics for the three most recent calendar years concerning the number of each of the following crimes that occurred on or within its Clery geography and that are reported to local police agencies or to a campus security authority:

   ☐ Yes ☐ No ☐ Incomplete

2. Are crime statistics presented in table format?

   ☐ Yes ☐ No ☐ Incomplete

3. Does the ASR include statistics for the three most recent calendar years?

   ☐ Yes ☐ No ☐ Incomplete

4. Does the ASR disclose the total number of crime reports that were "unfounded" and subsequently withheld from its crime statistics? (Note: The institution must maintain documentation as to why the crime was unfounded.)

   ☐ Yes ☐ No ☐ Incomplete

5. Does the ASR report statistics for each of the required crimes?

   Criminal Offenses

   A. Murder/Non-negligent Manslaughter

      ☐ Yes ☐ No ☐ Incomplete

   B. Manslaughter by Negligence

      ☐ Yes ☐ No ☐ Incomplete

   C. Sex Offenses

      Rape

      ☐ Yes ☐ No ☐ Incomplete

      Fondling

      ☐ Yes ☐ No ☐ Incomplete

      Incest

      ☐ Yes ☐ No ☐ Incomplete

      Statutory Rape

      ☐ Yes ☐ No ☐ Incomplete

   D. Robbery

      ☐ Yes ☐ No ☐ Incomplete

   E. Aggravated Assault

      ☐ Yes ☐ No ☐ Incomplete

   F. Burglary

      ☐ Yes ☐ No ☐ Incomplete

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G. Motor Vehicle Theft

☐ Yes ☐ No ☐ Incomplete

H. Arson

☐ Yes ☐ No ☐ Incomplete

I. Liquor Law Arrests

☐ Yes ☐ No ☐ Incomplete

J. Liquor Law Referrals for Disciplinary Action

☐ Yes ☐ No ☐ Incomplete

K. Drug Law Arrests

☐ Yes ☐ No ☐ Incomplete

L. Drug Law Referrals for Disciplinary Action

☐ Yes ☐ No ☐ Incomplete

M. Weapons: Carrying, Possessing, Etc. Arrests

☐ Yes ☐ No ☐ Incomplete

N. Weapons: Carrying, Possessing, Etc. Referrals for Disciplinary Action

☐ Yes ☐ No ☐ Incomplete

Hate Crimes

Are Hate Crimes Presented in Table or Narrative Format?

☐ Table ☐ Narrative

A. Murder/Non-negligent Manslaughter

☐ Yes ☐ No ☐ Incomplete

B. Sex Offenses

Rape

☐ Yes ☐ No ☐ Incomplete

Fondling

☐ Yes ☐ No ☐ Incomplete

Incest

☐ Yes ☐ No ☐ Incomplete

Statutory Rape

☐ Yes ☐ No ☐ Incomplete

C. Robbery

☐ Yes ☐ No ☐ Incomplete

D. Aggravated Assault

☐ Yes ☐ No ☐ Incomplete

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E. Burglary

☐ Yes ☐ No ☐ Incomplete

F. Motor Vehicle Theft

☐ Yes ☐ No ☐ Incomplete

G. Arson

☐ Yes ☐ No ☐ Incomplete

H. Simple Assault

☐ Yes ☐ No ☐ Incomplete

I. Intimidation

☐ Yes ☐ No ☐ Incomplete

J. Destruction/Damage/Vandalism of Property

☐ Yes ☐ No ☐ Incomplete

K. Larceny-Theft

☐ Yes ☐ No ☐ Incomplete

Are hate crimes noted by category of bias (race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, or disability)?

☐ Yes ☐ No ☐ Incomplete

If Hate Crimes are presented in narrative format: is there a statement providing context for which crimes, bias categories and geography are assessed and considered for hate crime classification?

☐ Yes ☐ No ☐ Incomplete ☐ N/A, Table Format

Hazing

☐ Yes ☐ No ☐ Incomplete

VAWA Offenses

A. Dating Violence

☐ Yes ☐ No ☐ Incomplete

B. Domestic Violence

☐ Yes ☐ No ☐ Incomplete

C. Stalking

☐ Yes ☐ No ☐ Incomplete

2. Does the ASR report statistics for each of the required geographic areas?

A. On-campus

☐ Yes ☐ No ☐ Incomplete

B. On-Campus Student Housing (Note: If the institution has no such facilities, this area can be excluded from the table but must be noted.)

☐ Yes ☐ No ☐ Incomplete

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C. Noncampus Buildings or Property (Note: If the institution has no such facilities, this area can be excluded from the table but must be noted.)

☐ Yes ☐ No ☐ Incomplete

D. Public Property

☐ Yes ☐ No ☐ Incomplete

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Definitions/Related Information

Federal Bureau of Investigation's (FBI) Uniform Crime Reporting (UCR) program	A nationwide, cooperative statistical effort in which city, university and college, county, State, Tribal, and federal law enforcement agencies voluntarily report data on crimes brought to their attention. The UCR program also serves as the basis for the definitions of [certain Clery Act crimes].
Hate Crime	A crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of this section, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.
Hierarchy Rule	A requirement in the FBI's UCR program that, for purposes of reporting crimes in that system, when more than one criminal offense was committed during a single incident, only the most serious offense be counted.
Referred for campus disciplinary action	The referral of any person to any campus official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

All reported crimes must be recorded

(i) An institution must include in its crime statistics all crimes listed in paragraph (c)(1) of this section occurring on or within its Clery geography that are reported to a campus security authority for purposes of Clery Act reporting. Clery Act reporting does not require initiating an investigation or disclosing personally identifying information about the victim, as defined in section 40002(a)(20) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)(20)).

An institution may not withhold, or subsequently remove, a reported crime from its crime statistics based on a decision by a court, coroner, jury, prosecutor, or other similar noncampus official.

An institution may withhold, or subsequently remove, a reported crime from its crime statistics in the rare situation where sworn or commissioned law enforcement personnel have fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore "unfounded." Only sworn or commissioned law enforcement personnel may "unfound" a crime report for purposes of reporting under this section. The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, and the failure to make an arrest do not "unfound" a crime report.

An institution must report to the Department and disclose in its annual security report statistics the total number of crime reports that were "unfounded" and subsequently withheld from its crime statistics during each of the three most recent calendar years.

Crimes must be recorded by calendar year.

An institution must record a crime statistic for the calendar year in which the crime was reported to local police agencies or to a campus security authority.

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Recording reports of stalking.

When recording reports of stalking that include activities in more than one calendar year, an institution must record a crime statistic for each and every year in which the course of conduct is reported to a local police agency or to a campus security authority.

An institution must record each report of stalking as occurring at only the first location within the institution's Clery geography in which:

- A perpetrator engaged in the stalking course of conduct; or
- A victim first became aware of the stalking.

Identification of the victim or the accused

The statistics do not include the identification of the victim or the person accused of committing the crime.

Pastoral and professional counselor

An institution is not required to report statistics for crimes reported to a pastoral or professional counselor.

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Using the FBI's UCR program and the Hierarchy Rule.

(i) An institution must compile the crime statistics for murder and nonnegligent manslaughter, negligent manslaughter, rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, liquor law violations, drug law violations, and illegal weapons possession using the definitions of those crimes from the "Summary Reporting System (SRS) User Manual" from the FBI's UCR Program. An institution must compile the crime statistics for fondling, incest, and statutory rape using the definitions of those crimes from the "National Incident-Based Reporting System (NIBRS) User Manual" from the FBI's UCR Program.

An institution must compile the crime statistics for the hate crimes of larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property using the definitions provided in the "Hate Crime Data Collection Guidelines and Training Manual" from the FBI's UCR Program.

In counting crimes when more than one offense was committed during a single incident, an institution must conform to the requirements of the Hierarchy Rule in the "Summary Reporting System (SRS) User Manual.

If arson is committed, an institution must always record the arson in its statistics, regardless of whether or not it occurs in the same incident as another crime.

If rape, fondling, incest, or statutory rape occurs in the same incident as a murder, an institution must record both the sex offense and the murder in its statistics.

Statistics from police agencies.

In complying with the statistical reporting requirements, an institution must make a reasonable, good-faith effort to obtain statistics for crimes that occurred on or within the institution's Clery geography and may rely on the information supplied by a local or State police agency.

If the institution makes such a reasonable, good-faith effort, it is not responsible for the failure of the local or State police agency to supply the required statistics.

Arson	Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
Criminal Homicide – Manslaughter by Negligence	The killing of another person through gross negligence.
Criminal Homicide—Murder and Nonnegligent Manslaughter	The willful (nonnegligent) killing of one human being by another.
Robbery	The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

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Aggravated Assault	An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)
Burglary	The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.
Motor Vehicle Theft	The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned—including joyriding.)
Weapons: Carrying, Possessing, Etc.	The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.
Drug Abuse Violations	The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.
Liquor Law Violations	The violation of State or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

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Sex Offenses	Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. A. Rape—The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. B. Fondling—The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity. C. Incest—Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. D. Statutory Rape—Sexual intercourse with a person who is under the statutory age of consent.
Larceny-Theft (Except Motor Vehicle Theft)	The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.
Simple Assault	An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
Intimidation	To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
Destruction/ Damage/Vandalism of Property	To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

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Hazing

Any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that:

- is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
- causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including:
  - » whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
  - » causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
  - » causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
  - » causing, coercing, or otherwise inducing another person to perform sexual acts;
  - » any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
  - » any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
  - » any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

For purposes of Clery Act statistics only, the term "student organization" in the definition of hazing is defined as: an organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution.

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Dating violence	Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition— • Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. • Dating violence does not include acts covered under the definition of domestic violence. • Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
Domestic violence	A felony or misdemeanor crime of violence committed— • By a current or former spouse or intimate partner of the victim; • By a person with whom the victim shares a child in common; • By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; • By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or • By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred. Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
Sexual Assault	An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program.

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Stalking	(i) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to— • Fear for the person's safety or the safety of others; or • Suffer substantial emotional distress. (ii) For the purposes of this definition— A. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. B. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. C. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. (iii) For the purposes of complying with the requirements, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

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