

Memo to: All UH-Downtown/PS Holders
From: Dr. Loren J. Blanchard, President
Subject: Crime Awareness and Campus Security

UH-Downtown/PS 01.D.02
Issue No. 6
Effective date: 05/05/2023
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1. PURPOSE

To ensure compliance with the Crime Awareness and Campus Security Act of 1990, Title II of Public Law: 101-542 (S. 580), as amended, and named the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act” commonly referred to as the “Clery Act.”

2. DEFINITIONS

2.1 Campus Security Authority (CSA), as per [The Clery Act Appendix for FSA Handbook](#): (This Appendix replaces the 2016 Handbook for Campus Safety and Security Reporting, which has been rescinded. Other than the statutory and regulatory requirements included in this document, the contents of the new Appendix do not have the force and effect of law and are not meant to bind the public.)

2.1.1 A campus police department or a campus security department of an institution;

2.1.2 Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property). Includes individuals who provide security at a campus parking kiosk, monitor access into a campus facility, act as event security or escort students around campus;

2.1.3 Any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses. If the campus community is directed to report criminal incidents to anyone or any organization in addition to police or security-related personnel, that individual or organization is a campus security authority; and

2.1.4 An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

A. Examples of individuals who meet the criteria for being campus security authorities include:

- A dean of students who oversees student housing, a student center or student extracurricular activities.
- A director of athletics, a team coach or a faculty advisor to a student group.
- A student resident advisor or assistant or a student who monitors access to dormitories.
- A coordinator of Greek affairs.
- A physician in a campus health center, a counselor in a campus counseling center or a victim advocate or sexual assault response team in a campus rape crisis center if they are identified by the University as someone to whom crimes should be reported or if they have significant responsibility for student and campus activities. However, if these individuals are not identified as people to whom crimes should be reported or do not have significant responsibility for student and campus activities, they would not be considered CSAs.

B. Examples of individuals who would not meet the criteria for being campus security authorities include:

- A faculty member who does not have any responsibility for student and campus activity beyond the classroom.
- Clerical or cafeteria staff.

2.2 Clery Act: Crime Awareness and Campus Security Act of 1990, Title II of Public Law: 101-542 (S. 580), as amended.

2.3 Clery Act Crimes ("Clery Crimes"): Crimes required by the Clery Act to be reported annually to the University community, including: criminal homicide (murder and negligent/non-negligent manslaughter); sex offenses (forcible and non-forcible); robbery; aggravated assault; burglary; motor vehicle theft; arson; hate crimes (including larceny-theft, simple assault, intimidation, or destruction/damage/vandalism of property that are motivated by bias); dating violence; domestic violence; stalking; and arrests and referrals for disciplinary action for any of the following: (a) liquor law violations, (b) drug law violations, and (c) carrying and possessing illegal weapons. Definition of these crimes is based on the Federal Bureau of Investigation's Uniform Crime Reporting Handbook. The terms "dating violence", "domestic violence", and "stalking" have the meaning given such terms in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).

2.4 Clery Geography: On-campus, public property and non-campus buildings or property owned or controlled by the University.

- 2.4.1 On-Campus: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).
- 2.4.2 Public Property: "all public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution's educational purposes." The regulatory definition of "public property" in 34 CFR 668.46(a) includes "all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus."
- 2.4.3 Non-Campus Buildings or Property: Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

3. POLICY

- 3.1 The University of Houston-Downtown shall comply with all requirements of the Clery Act. This policy sets forth guidelines and procedures to ensure the University's compliance with reporting and disclosure obligations of the Clery Act which include making campus security and safety policy statements available to the campus community and the public as prescribed by the law.

4. PROCEDURES

- 4.1 In accordance with the requirements of the Clery Act, the University shall:
 - 4.1.1 Collect statistical information on Clery Act Crimes reported to the University Police, local law enforcement, University officials and Campus Security Authorities that occurred within the University's Clery Geography.
 - 4.1.2 Issue timely warnings alerting the campus community of Clery Crimes occurring within the University's Clery Geography that pose a serious or continuing threat to the campus and surrounding community.

- A. Timely warnings will be disseminated throughout the community as soon as pertinent information is available and will provide information allowing the community to take precautions to protect themselves and prevent similar crimes from occurring.
- 4.1.3 Issue emergency notifications to immediately notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.
 - 4.1.4 Maintain a daily crime log of all crimes reported to the campus police department for all crimes occurring within the Clery Geography of the University. The crime log must be readily available for public inspection upon request.
 - 4.1.5 Create and publish an annual security report to the United States Department of Education disclosing statistics of Clery Crimes reported over the past three years as well as University policies and procedures addressing campus safety and security and information on the handling of emergencies, threats and dangerous situations as required by the Clery Act.
 - A. The annual security report must be disclosed and made available to the University community and the public by October 1 of each year.
 - 4.1.6 Identify Campus Security Authorities on a regular ongoing basis and notify these individuals of their obligations under the Clery Act to report Clery Crimes to the University Police Department.
 - A. Training on the reporting requirements will be made available to all Campus Security Authorities.
 - 4.1.7 Conduct programs for the University community to prevent dating violence, domestic violence, sexual assault and stalking.
 - 4.1.8 Include in the annual security report a clear statement of policy that addresses the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault or stalking.
 - 4.1.9 Prohibit retaliation against any individual for exercising their rights or responsibilities under any provision of this Act.

5. REVIEW PROCESS

Responsible Party (Reviewer): Vice President for Administration and Finance and Chief of Police.

Review: Every three years on or before April 1st.

Signed original on file in the Office of Human Resources.

6. POLICY HISTORY

Issue #1: 11/21/91

Issue #2: 07/28/98

Issue #3: 04/20/00

Issue #4: 03/25/15

Issue #5: 02/01/19

7. REFERENCES

[The Clery Act Appendix for FSA Handbook](#)