



CALIFORNIA STATE AUDITOR

Elaine M. Howle, State Auditor

FACT SHEET

Date: January 28, 2010

Report: 2009-032

The California State Auditor released the following report today:

California's Postsecondary Educational Institutions

More Complete Processes Are Needed to Comply With Clery Act Crime Disclosure Requirements

BACKGROUND

Postsecondary educational institutions (institutions) that participate in student aid programs under Title IV of the federal Higher Education Act of 1965, as amended, are required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) to create an annual security report by October of each year. This security report must contain required crime statistics for the institution as well as certain security policy disclosures. When institutions do not comply with the Clery Act, they inhibit the ability of students and others to make informed decisions about campus security. Further, the U.S. Department of Education can impose financial penalties of up to \$27,500 per violation against noncompliant institutions.

We visited six institutions to determine whether their annual security reports issued in 2008 contained all required security policies and accurate crime statistics for 2007. We also surveyed 10 other institutions that reported no criminal offenses for 2007 to determine whether their procedures for compiling and distributing the statistics were sufficient.

KEY FINDINGS

During our review of the six institutions' compliance with the Clery Act, we noted the following:

- One institution did not provide its annual security report for 2008.
- Three institutions did not properly notify students and staff of the availability of their security policy disclosures or crime statistics.
- Four institutions either did not disclose or had not addressed all 19 security policies required by the Clery Act.
- All six institutions reported inaccurate 2007 crime statistics to varying degrees.

We also noted that most of the 10 institutions did not have sufficient processes in place to ensure that they reported accurate crime statistics under the Clery Act.

Finally, the California Community Colleges Chancellor's Office (Chancellor's Office) informed us that it currently does not provide any guidance to community colleges—of which there were two in our site visits and six in our survey—regarding compliance with the Clery Act.

KEY RECOMMENDATIONS

We recommended that institutions:

- Issue annual security reports, include all required policies in those reports, and properly notify all students and staff of the availability of the reports.
- Review and adhere to applicable guidance related to the Clery Act issued by the federal government, and identify and provide sufficient training to those employees responsible for compiling crime statistics and distributing annual security reports.
- Request crime information from campus security authorities and local or state law enforcement agencies, carefully review all information for errors, and obtain a clear understanding of Clery Act crimes.

We also recommended that the Chancellor's Office should provide direction to community colleges regarding compliance with the Clery Act, including discussing the need to review and adhere to current guidance from the federal government.

