

## California's Postsecondary Educational Institutions

More Guidance Is Needed to Increase Compliance With Federal Crime Reporting Requirements

Report 2015-032

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July 16, 2015

2015-032

The Governor of California  
President pro Tempore of the Senate  
Speaker of the Assembly  
State Capitol  
Sacramento, California 95814

Dear Governor and Legislative Leaders:

As required by Chapter 804, Statutes of 2002, the California State Auditor (state auditor) presents this audit report concerning the accuracy of 2013 crime statistics compiled and reported by a selection of California postsecondary educational institutions (institutions). This report also describes the results of our examination of these institutions' issuance of annual security reports, notification of the reports' availability, and disclosures of campus security policies required under the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act).

This report concludes that the six institutions we visited did not fully comply with the Clery Act requirements. Five of the six institutions reported inaccurate crime statistics, and only one of the six institutions disclosed all of the required policies in its annual security report. Further, we found that the most frequently incomplete or missing policy disclosures related to the Violence Against Women Reauthorization Act of 2013, effective in March 2014, which added specific policy statements that institutions must include in their annual security reports. If institutions do not make all required disclosures, students and other stakeholders may not have the information necessary to make informed decisions about their personal security, such as the prevention of crime.

Since the requirement for the state auditor to audit compliance with the Clery Act was added by statute in 2002, we have conducted five audits of a selection of California's institutions. Because of the similarity of the issues we identified in this report and in our four previous reports, we believe that California's institutions' compliance with the Clery Act could improve with additional guidance from the systemwide offices for the State's public institutions and from a state entity that provides guidance to all institutions. Without additional guidance at the state level, California's institutions may continue to report inaccurate crime statistics and fail to adequately disclose policies in their annual security reports—misinforming users of the reports and increasing the institutions' risk of incurring federal financial penalties.

Respectfully submitted,



ELAINE M. HOWLE, CPA  
State Auditor

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## Summary

### Results in Brief

The federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) requires postsecondary educational institutions (institutions) that participate in certain federal financial aid programs to publish annual security reports that disclose specified campus crime statistics and campus security policies. Crimes reportable under the Clery Act (Clery Act crimes) include assaults, arsons, robberies, and sex offenses occurring in certain locations. The Clery Act and its implementing regulations require these institutions to distribute the reports to current students and employees and to notify prospective students and employees of their availability. According to the U.S. Department of Education (U.S. DOE), the goal of safety- and security-related laws such as the Clery Act is to provide students and their families with accurate, complete, and timely information about safety on campus so that they can make informed decisions as consumers of higher education.

Our review of six California institutions found that none of the six—Fresno City College (Fresno), San Francisco State University (San Francisco), Shasta College (Shasta), Stanford University (Stanford), University of California, San Diego (San Diego), and University of Redlands (Redlands)—were in full compliance with the Clery Act's requirements. Specifically, five of the institutions inaccurately reported certain crime statistics, and five failed to disclose all required campus policies. By not fully complying with the Clery Act, institutions may inhibit the ability of students, parents, and employees to make informed decisions regarding safety on campus. Institutions may also increase their risk of incurring U.S. DOE's financial penalties.

Five of the six institutions reported inaccurate crime statistics in 2013, the latest year covered by their most recent annual security reports. Only Fresno correctly reported its crime statistics. To determine the accuracy of their reporting, we tested a selection of crime files for 15 to 30 of the Clery Act crimes each institution reported for 2013.<sup>1</sup> To determine if the institutions failed to report crimes that they should have reported, we reviewed 13 to 25 additional crimes at each institution. We found a total of 13 reporting errors, including one Clery Act crime that an institution did not report, seven crimes that institutions reported incorrectly, and five crimes that institutions incorrectly reported as Clery Act crimes. When institutions inaccurately report crime statistics, interested parties, such as prospective students and parents, could draw incorrect conclusions about safety on campus.

<sup>1</sup> The specific number of crimes we reviewed varied with the total Clery Act crimes each institution reported.

### Audit Highlights . . .

*Our audit of the 2013 crime statistics compiled and reported by six California postsecondary educational institutions (institutions) highlighted the following:*

» *None of the six California institutions we reviewed completely complied with all of the federal reporting requirements.*

- *Five of the institutions inaccurately reported crime statistics.*
- *Only one institution disclosed all of the campus policies in its annual security report—the most frequently incomplete or missing disclosures were for policies related to the Violence Against Women Reauthorization Act of 2013.*
- *Of the 79 campus survey respondents, most indicated their security policies and crime statistics are available on their website, but some did not provide notification of their availability.*
- *Additional guidance from the systemwide offices for the State's public institutions and from a state entity could improve institutions' compliance with federal reporting requirements.*

In addition, only one of the six institutions—Stanford—disclosed all of the campus policies in its 2014 annual security report that federal law requires to be submitted in October. Policy statements related to the Violence Against Women Reauthorization Act of 2013 (Reauthorization Act) were the most frequently incomplete or missing disclosures in the institutions' reports. The Reauthorization Act, which took effect in March 2014, added specific policy statements that institutions must include in their annual security reports. If institutions do not make all required disclosures, students and other stakeholders may not have the information necessary to make informed decisions about their personal security, for example, regarding the prevention of crime and the actions they should take in the event of emergencies.

We also surveyed 79 campuses throughout the State with student enrollments of 500 or more that participate in certain federal financial aid programs and that reported no criminal offenses for 2013 in order to determine whether those institutions had adequate processes in place for compiling and distributing their crime statistics.<sup>2</sup> Most of the 79 campuses that responded indicated that they had processes in place to help ensure that they report accurate crime statistics. Although most of the 79 respondents indicated that they provide a link on their websites to their security policies and annual crime statistics, some did not state that they take all the steps required to ensure that their students and employees are aware that these reports are available. For example, 77 percent of the respondents to our survey indicated that their institution's website includes direct links to their policies and statistics. However, 21 percent of these respondents did not indicate that they notify their current students and employees by email, publication, or other means of their campus security policies and annual crime statistics as the Clery Act requires.

Since the requirement for the California State Auditor to audit compliance with the Clery Act was added by statute in 2002, we have conducted five audits of a selection of California's institutions. Because of the similarity of the issues we identified in this report and in our four previous reports, we believe that California's institutions' compliance with the Clery Act could improve with additional guidance from the systemwide offices for the State's public institutions and from a state entity that provides guidance to all institutions. Although the systemwide offices—University of California Office of the President (UCOP), California State University (CSU) Office of the Chancellor, and the California Community Colleges Chancellor's Office (Community Colleges Chancellor's Office)—provide some guidance to their respective

<sup>2</sup> We initially surveyed 80 institutions; however, one of the institutions closed after we distributed our survey.



institutions regarding compliance with the Clery Act, the level of guidance they provide varies significantly and it can be improved. In addition, although the U.S. DOE is responsible for overseeing these institutions' compliance with the Clery Act, it did not issue any completed reports on Clery Act program reviews of California institutions between 2011 and 2014. Further, the State does not currently have an entity or other governing body to provide guidance to institutions, including private institutions, that would help ensure their compliance with the requirements of the Clery Act and the Reauthorization Act. The California Department of Justice (Justice), Office of the Attorney General—the State's chief law enforcement official—is well positioned to advise institutions on which California criminal statutes align with what must be reported under the Clery Act, and could therefore provide additional guidance on the Clery Act to all institutions. When we asked Justice for its perspective on this new role, it stated that it would welcome the opportunity to work with the Legislature and the California Department of Finance to assess how the State can improve its guidance in this area. Without additional guidance at the state level, California's institutions may continue to report inaccurate crime statistics and fail to adequately disclose policies in their annual security reports, in conflict with what the Clery Act requires—misinforming users of the reports and exposing the institutions to the U.S. DOE's financial penalties.

### Recommendations

The Legislature should require Justice to provide guidance to California's public and private institutions and systemwide offices regarding compliance with the requirements of the Clery Act and the Reauthorization Act.

Redlands, San Diego, San Francisco, Shasta, and Stanford should review and adhere to applicable guidance related to the Clery Act, including the U.S. DOE's Office of Postsecondary Education's *The Handbook for Campus Safety and Security Reporting* (OPE handbook) and the Federal Bureau of Investigation's *Uniform Crime Reporting Handbook*, to ensure that they are accurately reporting their crime statistics.

Fresno, Redlands, San Diego, San Francisco, and Shasta should review and adhere to applicable guidance related to the Clery Act, including the OPE handbook and the *Uniform Crime Reporting Handbook*, to ensure that they are including all required disclosures in their annual security reports.

To ensure that its respective institutions comply with the Clery Act, UCOP should finalize and implement its draft policy that will provide additional guidance and oversight to its institutions.

To ensure that its respective institutions comply with the Clery Act, the CSU Office of the Chancellor should develop written policies and procedures to provide guidance to its institutions on how to report accurate Clery Act crime statistics and ensure that all required disclosures are included in its respective institutions' annual security reports. The CSU Office of the Chancellor should then annually revisit the written policies and procedures to ensure that they are up to date.

To ensure that its respective institutions comply with the Clery Act, the Community Colleges Chancellor's Office should develop written policies and procedures to provide guidance to its institutions on how to report accurate Clery Act crime statistics and ensure that all required disclosures are included in its respective institutions' annual security reports. The Community Colleges Chancellor's Office should then annually revisit the written policies and procedures to ensure that they are up to date.

#### **Agency Comments**

Although all six institutions agreed with our recommendations, Stanford raised concerns with some of our conclusions. The CSU Office of the Chancellor and UCOP agreed with our recommendations and outlined actions they plan to take to address them. However, although the Community Colleges Chancellor's Office did not take issue with our report's conclusions, it did not specifically address how it plans to implement the recommendation we directed to it.

# Introduction

## Background

The U.S. Department of Education (U.S. DOE) has stated that choosing a postsecondary educational institution (institution) is a major decision for students and their families and, along with academic, financial, and geographic considerations, the issue of campus safety is a vital concern. To help inform students and their families about campus safety, the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) requires all institutions that participate in federal student aid programs under Title IV of the Higher Education Act of 1965 (Title IV) to publish annual security reports disclosing specified campus crime statistics and campus security policies.<sup>3</sup> According to the U.S. DOE, the goal of safety- and security-related laws such as the Clery Act is to provide students and their families with accurate, complete, and timely information about safety on campus so that they can make informed decisions as consumers of higher education. To this end, the U.S. DOE has promulgated regulations to implement the Clery Act, and it issued a handbook to assist institutions with compliance.

The Clery Act requires institutions to report statistics related only to certain crimes (Clery Act crimes), as shown in Appendix A beginning on page 33. Clery Act crimes include assaults, arsons, robberies, and sex offenses. The institutions must report these statistics for the most recent and the two preceding calendar years. The Clery Act also requires institutions to report their statistics within the following specific location categories:

- On campus, including on-campus student housing facilities.<sup>4</sup>
- In or on certain noncampus buildings or property, such as off-campus housing, that is owned or controlled by the institution.
- On public property that is within or immediately adjacent to and accessible from the campus.

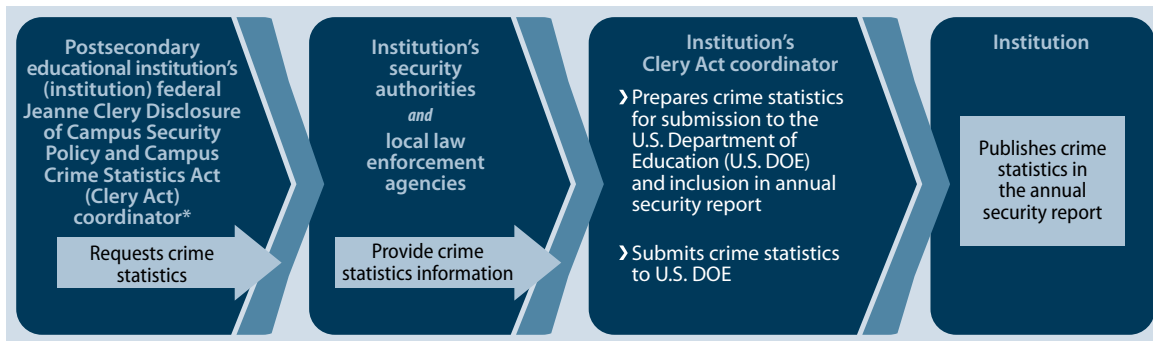
<sup>3</sup> Title IV, as amended, provides funding to eligible students in the form of Pell grants and other federal student aid, including direct loans.

<sup>4</sup> The U.S. DOE's Office of Postsecondary Education's (OPE) *The Handbook for Campus Safety and Security Reporting* (OPE handbook) states that on-campus student housing includes housing for officially and unofficially recognized student groups, including fraternity or sorority houses, that is owned or controlled by the institutions or is located on property that the institutions own or control.

Figure 1 displays the process that institutions use to compile and report their crime statistics. The Clery Act requires the institutions to obtain crime statistics from campus security authorities, who include campus police, individuals who are not police or security but are responsible for campus security, officials who have significant responsibility for student and campus activities, and individuals or organizations identified in a campus's security policy as responsible for receiving student and employee reports of criminal offenses. Institutions have also identified college deans and athletic team coaches, among others, as campus security authorities. The regulations also require the institutions to make a good faith effort to obtain crime statistics from local law enforcement agencies.

**Figure 1**

**Process for Postsecondary Educational Institutions to Compile and Report Crime Statistics Under the Federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act**



Sources: Federal law and regulations and *The Handbook for Campus Safety and Security Reporting*, issued by the U.S. DOE's Office of Postsecondary Education (2011 edition).

\* For purposes of this report, we define the individual or individuals appointed by an institution to compile and report crime statistics under the Clery Act as the institution's *Clery Act coordinator*.

Additionally, the Clery Act requires the institutions to include various campus policies, which we refer to as *security policies*, in their reports. For example, they must include their current policies related to alcohol and illegal drugs and to sexual assault. In addition, the regulations require institutions to disclose policies that include certain specified information, such as programs to inform students about campus security and prevention of crime. Institutions must also include their procedures for students and others to report criminal actions or emergencies occurring on campus.

The regulations specify that each institution must distribute its annual security report by October 1 of each year to all current students and employees, a requirement the institution can fulfill in a few ways, including by posting the report to its website

or emailing students and employees. Each institution must also notify prospective students and employees of the report's availability, provide a description of its contents, and state that it will provide the report upon request. As we describe in the Scope and Methodology, we found that all six of the institutions we reviewed adequately distributed their annual security reports to current students and employees and adequately notified prospective students and employees of the availability of those reports. Further, the regulations require each institution to submit its campus crime statistics to the U.S. Secretary of Education by the same deadline.

The passage of the Violence Against Women Reauthorization Act of 2013 (Reauthorization Act) amended the Clery Act to include additional crimes and conduct that campuses must track and report; it also requires campuses to include in their annual security reports specific security policy statements relating to domestic violence, dating violence, sexual assault, and stalking. Under these Reauthorization Act provisions, which took effect March 7, 2014, institutions' annual security reports must now include policy statements regarding, among other topics, their programs to promote awareness of and prevent domestic violence, dating violence, sexual assault, and stalking and the procedures the institutions will follow if such conduct occurs. Existing law already required policy statements regarding programs related to rape and acquaintance rape. In addition, the Reauthorization Act requires annual security reports to include statistics for reported crimes of domestic violence, dating violence, sexual assault, and stalking. Further, it clarifies minimum standards for institutional disciplinary procedures, instructs campuses to provide additional and specified education programs for students and faculty, and establishes collaboration among the U.S. DOE, the U.S. Department of Justice Office of the Attorney General, and the U.S. Department of Health and Human Services to develop and disseminate best practices for preventing and responding to domestic violence, dating violence, sexual assault, and stalking.

Although the regulations that implement the Reauthorization Act took effect in July 2015, the U.S. DOE issued guidance in May 2013 and July 2014 to inform institutions that until those regulations were effective, it expected them to make a good faith effort to comply with the requirements of the Reauthorization Act. According to the guidance the U.S. DOE issued in July 2014, it received numerous inquiries from institutions asking it to clarify institutional responsibilities under the Clery Act, as amended by the Reauthorization Act. In this July 2014 guidance, the U.S. DOE reiterated the guidance it provided in May 2013, which stated that it expected institutions to exercise their best efforts to include statistics for the new crime categories for 2013 in their annual security reports due in October 2014. Further, the guidance stated that institutions should use the Reauthorization Act as the

basis for revising or developing policies, procedures, and programs in advance of those October 2014 reports. Therefore, because our review included these 2014 reports for six institutions, we assessed the extent to which each complied with the Reauthorization Act's requirements.

The U.S. DOE reviews institutions to determine whether they comply with the requirements of the Clery Act, and noncompliant institutions may be subject to financial penalties. According to federal regulations, the U.S. DOE may impose a fine of up to \$35,000 for each violation upon determination that an institution of higher education has misrepresented the number, location, or nature of the crimes reported under the Clery Act. According to its website, the U.S. DOE issued final determinations on campus crime program reviews of 29 institutions during 2011 through 2014, and it imposed fines on 17 of these institutions—none of which were California institutions. For example, in an April 2013 letter, the U.S. DOE informed Yale University that it intended to fine the institution \$165,000 for the university's failure to comply with the requirements of the Clery Act. In addition to issuing fines, the U.S. DOE may limit or terminate an institution's participation in Title IV programs.

To provide guidance in meeting the Clery Act's requirements, the U.S. DOE published in February 2011 its most recent version of the OPE handbook. The U.S. DOE makes this handbook available on its website, where it also provides an online tutorial, which is an audiovisual companion to the handbook. In addition to the guidance in the OPE handbook, the Clery Act requires that institutions use the crime definitions in the Federal Bureau of Investigation's *Uniform Crime Reporting Handbook* when classifying certain Clery Act crimes. For other Clery Act crimes, federal law requires that institutions use the crime definitions outlined in the Violence Against Women Act of 1994 and the Hate Crime Statistics Act.

### **Scope and Methodology**

Section 67382 of the California Education Code requires the California State Auditor (state auditor) to report the results of an audit of not fewer than six institutions that receive federal student aid to the Legislature every three years. This law requires the state auditor to determine the institutions' compliance with the requirements of the Clery Act by evaluating the accuracy of the crime statistics they report and the effectiveness of the procedures they use to identify, gather, and disseminate these data. The state auditor previously issued audit reports on this subject in December 2003, January 2007, January 2010, and October 2012.

To obtain an understanding of the requirements of the Clery Act, we reviewed relevant federal laws and regulations as well as the OPE handbook. Using factors such as the type of institution (for example, public or private, academic or vocational), student enrollment, and geographic location, we selected six institutions at which we performed detailed audit work related to the accuracy of the crime statistics and the disclosure of campus security policies. The six institutions we visited and their locations are as follows:

- Fresno City College in Fresno
- San Francisco State University in San Francisco
- Shasta College in Redding
- Stanford University (Stanford) in Stanford
- University of California, San Diego, in La Jolla
- University of Redlands in Redlands

To evaluate the accuracy and completeness of these crime statistics, we selected a portion of the crimes reported and examined each crime's incident report from the institution's security or police department.<sup>5</sup> We also interviewed staff and reviewed relevant supporting documentation related to these crimes. We interviewed campus security authorities and knowledgeable staff at the six institutions about their processes for meeting Clery Act requirements and, when available, we reviewed relevant supporting documentation to identify the processes they used for collecting crime statistics. Federal regulations permit institutions to trust certain information they receive from outside agencies; specifically, regulations state that an institution "may rely on" information or crime statistics it receives from local law enforcement agencies. Therefore, institutions are not required to verify the accuracy of statistics they receive from local law enforcement. Consequently, we focused on the accuracy of the statistics that the institutions generated, and we did not audit the accuracy of the statistics the institutions received from local law enforcement.

To ascertain whether the institutions adequately disclosed all required security policies in their reports, we reviewed their most recent annual security reports and interviewed staff. To determine whether the institutions adequately notified current and prospective students and employees of the availability of their annual security

<sup>5</sup> Before we started our audit, Stanford reviewed and revised the Clery Act crime statistics it reported to OPE for 2013. As a result, we audited Stanford's revised statistics instead of those submitted to OPE.

reports, we reviewed relevant supporting documentation and interviewed staff. We found that all six institutions adequately notified current and prospective students and employees of the availability of their annual security reports.

Additionally, we surveyed 79 of the 573 California campuses that reported no Clery Act crimes to the OPE for 2013 to determine whether their procedures for compiling and distributing crime statistics would help ensure that they comply with the Clery Act if followed.<sup>6,7</sup> Specifically, we asked about their practices for collecting their reportable crime statistics, verifying that the statistics they collected were complete and accurate, and notifying their current and prospective students and employees of the availability of their security reports. Because we used the survey data only to summarize assertions obtained directly from the survey respondents, we determined that we did not need to assess the reliability of those data.

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<sup>6</sup> We initially surveyed 80 institutions; however, one of the institutions closed after we distributed our survey.

<sup>7</sup> These institutions reported no incidents that were classified as criminal offenses for Clery Act purposes in 2013. However, for Clery Act purposes, OPE categorizes and reports drug, liquor, and weapons arrests separately from criminal offenses. Therefore, when we identified the 79 campuses to survey, we excluded these categories in identifying the institutions making up the survey.



## Audit Results

### Five of the Six Postsecondary Educational Institutions We Visited Had Errors in Their Reported Crime Statistics

Of the six postsecondary educational institutions (institutions) we visited, only Fresno City College (Fresno) fully complied with the requirements of the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) for reporting crime statistics.<sup>8</sup> Five of the six institutions reported statistics that were inaccurate to varying degrees, including one institution that failed to report a crime. The six institutions we visited were Fresno; San Francisco State University (San Francisco); Shasta College (Shasta); Stanford University (Stanford); University of California, San Diego (San Diego); and University of Redlands (Redlands).

The Clery Act requires institutions to include statistics related to certain types of crimes that occur in certain types of locations in their annual security reports. We refer to these as *Clery Act crimes* in this report. Table 1 on the following page shows the Clery Act crimes that the six institutions reported for 2013, the latest year included in their 2014 annual security reports. For the number of Clery Act crimes these six institutions reported for 2011 and 2012, see Appendix B beginning on page 35. To determine whether they reported Clery Act crimes accurately, we tested the information on 15 to 30 of the Clery Act crimes each institution reported for 2013.<sup>9</sup> To determine whether the institutions failed to report crimes that they should have reported, we reviewed 13 to 25 additional crimes that occurred at each institution.

Our review found that five of the six institutions reported some inaccurate crime statistics. As shown in Table 2 on page 13, we found a total of 13 reporting errors, including one Clery Act crime that an institution did not report, five crimes that institutions incorrectly reported as Clery Act crimes (overreporting), and seven crimes that institutions reported incorrectly (misreporting). Fresno was the only institution we visited that reported accurate crime statistics for the selection of crimes we reviewed. When institutions inaccurately report crime statistics, interested parties, such as prospective students and parents, could draw incorrect conclusions about safety on campus.

<sup>8</sup> Clery Act requirements apply to an institution that qualifies as an institution of higher education, a proprietary institution of higher education, or a postsecondary vocational institution, and that meets other requirements outlined under federal regulations, such as offering fewer than 50 percent of its courses as correspondence courses and not having filed for bankruptcy relief.

<sup>9</sup> The specific number of crimes we reviewed varied with the total Clery Act crimes each institution reported.

**Table 1**  
Six Postsecondary Educational Institutions' Enrollment and the Federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act Crime Statistics Reported for 2013

	POSTSECONDARY EDUCATIONAL INSTITUTION (INSTITUTION)					
	FRESNO CITY COLLEGE	SAN FRANCISCO STATE UNIVERSITY	SHASTA COLLEGE (SHASTA)*	STANFORD UNIVERSITY	UNIVERSITY OF CALIFORNIA, SAN DIEGO	UNIVERSITY OF REDLANDS
Enrollment	30,360	29,905	12,465	18,136	30,310	5,147
<b>Federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) Criminal Offenses<sup>†</sup></b>						
Aggravated assault	1	1	27	3	8	2
Arson	0	1	0	0	1	0
Burglary	23	14	28	96	55	18
Motor vehicle theft	26	26	1	19	27	7
Murder and nonnegligent manslaughter	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0
Robbery	10	5	0	2	4	3
Sex offenses, forcible	2	5	7	26	20	3
Sex offenses, nonforcible	0	0	1	0	0	0
Dating violence	0	0	6	2	9	0
Domestic violence	2	7	8	10	9	0
Stalking	0	0	10	6	0	5
<b>Subtotals</b>	<b>64</b>	<b>59</b>	<b>88</b>	<b>164</b>	<b>133</b>	<b>38</b>
<b>Clery Act Arrests</b>						
Drug abuse arrests	15	8	39	9	46	0
Liquor law arrests	4	27	0	89	67	0
Weapons law arrests	3	5	11	4	7	2
<b>Subtotals</b>	<b>22</b>	<b>40</b>	<b>50</b>	<b>102</b>	<b>120</b>	<b>2</b>
<b>Clery Act Disciplinary Actions</b>						
Drug abuse disciplinary actions	3	9	15	0	406	114
Liquor law disciplinary actions	3	170	16	7	1,707	315
Weapons law disciplinary actions	0	0	4	0	3	8
<b>Subtotals</b>	<b>6</b>	<b>179</b>	<b>35</b>	<b>7</b>	<b>2,116</b>	<b>437</b>
<b>Totals</b>	<b>92</b>	<b>278</b>	<b>173</b>	<b>273</b>	<b>2,369</b>	<b>477</b>

Sources: Crime statistics reported in the 2014 annual security reports for each institution and the California Community Colleges Chancellor's Office's annual 2013–14 student count, the California State University's fall 2013 enrollment, Stanford University's October 2013 enrollment, the University of California's fall 2013 enrollment data, and University of Redlands' fall 2013 enrollment.

Note: The crime statistics shown do not reflect any adjustments for the errors we found in our testing of 2013 crime statistics.

\* Shasta's director of campus safety stated that Shasta performed a review of the 2013 crime statistics it reported to the U.S. Department of Education's Office of Postsecondary Education (OPE) in October 2014 and corrected some inaccuracies. However, Shasta's review was not finalized and submitted to OPE until April 2015, which was after our file review; therefore, we did not verify the accuracy of the revised crime statistics. In addition, Shasta reported two hate crimes for 2013. It reported these crimes separately from the statistics reflected above. No other institutions reported hate crimes for 2013.

† The crime categories and crime statistics presented under Clery Act criminal offenses differ from those in Appendix B because we used the amounts from the respective institutions' annual security reports in this table and crime statistics from the OPE website for Appendix B. We used different sources because institutions were only required to report information on incidents of dating violence, domestic violence, sexual assault—which is reported under forcible sex offenses—and stalking beginning with their 2014 annual security reports and we were able to include those statistics for 2013 in this table. However, we present three years of data in Appendix B and, in an effort to ensure comparability across all three years in the Clery Act criminal offenses shown in Appendix B, we used data from the OPE website.

**Table 2**  
**Errors in the Six Postsecondary Educational Institutions’ Federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act Crime Statistics Reported for 2013**

	POSTSECONDARY EDUCATIONAL INSTITUTION (INSTITUTION)						TOTALS
	FRESNO CITY COLLEGE	SAN FRANCISCO STATE UNIVERSITY	SHASTA COLLEGE (SHASTA)*	STANFORD UNIVERSITY	UNIVERSITY OF CALIFORNIA, SAN DIEGO	UNIVERSITY OF REDLANDS	
Total federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) crimes reported for 2013	92	278	173	273	2,369	477	3,662
<b>Total Number of Crimes Tested<sup>†</sup></b>	29	32	32	55	45	32	225
<b>Total Reporting Errors We Identified</b>	0	5	1	2	4	1	13
<b>Underreporting—</b> <i>Clery Act crimes not reported to the Office of Postsecondary Education (OPE)</i>							
Criminal act was a Clery Act crime	0	1	0	0	0	0	1
<b>Overreporting—</b> <i>Crimes erroneously reported as Clery Act crimes</i>							
Criminal act was not a Clery Act crime	0	1	1	0	0	0	2
Crime did not occur in a Clery Act location	0	0	0	0	0	0	0
Crime erroneously reported multiple times	0	0	0	1	1	1	3
<b>Misreporting—</b> <i>Clery Act crimes reported incorrectly</i>							
Crime reported as the wrong type of Clery Act crime <sup>‡</sup>	0	0	0	0	0	0	0
Location reported as the wrong type of Clery Act location	0	3	0	1	3	0	7

Source: California State Auditor’s analysis of Clery Act crime statistics the six institutions reported for 2013.

\* As noted in our Audit Results, Shasta’s director of campus safety explained that Shasta began conducting an internal review of its 2013 crime statistics in October 2014, which resulted in it reducing the number of on-campus Clery Act crimes it reported by nine and increasing the number of on-campus Clery Act arrests it reported by two. Shasta resubmitted the revised statistics to OPE in April 2015. Of the 11 Clery Act crimes that Shasta revised, eight were included in our selection that we initially identified as errors; however, because these crimes were identified by Shasta as errors before our review, and corrected accordingly, we do not present them as errors in this table.

† To determine if the institutions reported Clery Act crimes accurately, we tested the information on 15 to 30 of the Clery Act crimes each institution reported for 2013. To determine if the institutions failed to report crimes that they should have reported, we reviewed 13 to 25 additional crimes at each institution.

‡ We found some inaccurate statistics related to the reporting of domestic violence, dating violence, sexual assault, and stalking crimes. However, the institutions were only required to make a “good faith effort” to accurately report such crimes during our audit review period; thus, these inaccurate statistics are not reflected in this table as errors.

### Federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act Locations

**Campus:** Any building or property owned or controlled by an postsecondary educational institution (institution) within the same reasonably contiguous geographic area and used 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 these areas, that is owned by the institution but controlled by another person, is frequently used by student, and supports institutional purposes (such as food or other retail vendor).

**Noncampus building 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 by the 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.

**Public property:** All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus.

Source: Code of Federal Regulations, Title 34, Section 668.46 (a).

As shown in Table 2, more than half of the errors we noted involved the institutions misreporting crimes by inaccurately reporting the location in which the Clery Act crime occurred. The Clery Act requires institutions to disclose statistics for crimes based on where those crimes occur. As shown in the text box, the Clery Act requires institutions to report crimes that happen on campus, in or on certain noncampus buildings or property, and on certain public property. Figure 2 shows an example of the areas that the U.S. Department of Education's (U.S. DOE) Office of Postsecondary Education (OPE) considers to be public property for reporting purposes under the Clery Act.

San Diego, San Francisco, and Stanford misreported the locations of some of their Clery Act crimes. Specifically, all three institutions misreported at least one crime as happening in an on-campus residential location when the crime should have been reported as happening at another location. San Francisco incorrectly reported a robbery as happening at an on-campus residential location even though the crime happened on public property. Similarly, San Diego incorrectly reported a burglary as happening at an on-campus residential location when the burglary occurred in an academic building. Finally, Stanford incorrectly reported a stalking incident as happening at an on-campus residential location; however, the incident occurred in an academic building. All three institutions

acknowledged that these incidents were inadvertently misreported. Although the institutions correctly identified these crimes as Clery Act crimes, they did not provide consumers accurate information about where the crimes occurred.

### Federal Crime Statistic Reporting Definitions of Theft and Burglary

Burglary is reportable under the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) and is the unlawful entry of a structure to commit a felony or a theft.

Theft is not reportable under the Clery Act and is the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

Source: Federal Bureau of Investigation's *Uniform Crime Reporting Handbook*, 2004.

In addition, as shown in Table 2, some of the errors we noted involved institutions overreporting crimes. For example, two *thefts* were misreported as *burglaries*, and the Clery Act requires institutions to report the latter but not the former. Specifically, we found that San Francisco reported an incident as a burglary that did not involve unlawful entry, and Shasta reported an incident as a burglary that did not occur in a structure. Thefts and burglaries for Clery Act purposes are defined in the text box. The errors concerning burglaries occurred because the institutions did not carefully follow the guidance concerning these crimes in the OPE's *The Handbook for Campus Safety and Security Reporting* (OPE handbook) and the Federal Bureau of Investigation's *Uniform Crime Reporting Handbook*.

According to the OPE handbook, an incident must meet three conditions to be classified as a burglary: There must be evidence that a person committed unlawful entry, meaning that he or she did not have the right to be at the location at the time the incident occurred; the person must have committed the unlawful entry within a structure; and the person must have committed the unlawful entry with the intent to commit a felony or theft. If only two of these conditions are present in a crime, the incident does not meet the Clery Act definition of *burglary* and in most cases would be correctly classified as a *theft*.

**Figure 2**  
Example of Public Property for Which Postsecondary Educational Institutions Must Report the Federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act Crime Statistics



Source: Adapted from *The Handbook for Campus Safety and Security Reporting*, issued by the U.S. Department of Education's Office of Postsecondary Education (2011 edition).

The incidents that San Francisco and Shasta reported did not meet all three conditions to be classified as burglaries under the Clery Act, so these crimes should not have been reported as Clery Act crimes. The

***Institutions should not report a robbery with multiple victims as multiple robberies, as this leads to overreporting.***

interim chief of police at San Francisco stated that the incident was classified as a burglary because of the person's intent to commit theft and acknowledged that because the crime did not include unlawful entry, it should not have been classified as a burglary under the Clery Act. The director of campus safety at Shasta indicated that he based his decision to categorize the incident as a burglary on state law rather than the Clery Act. Regardless of whether this incident was a burglary under California law, institutions must follow federal definitions to comply with the Clery Act, not those contained in state law.

In addition, we found two robberies that were incorrectly reported, leading to an overreporting of crimes. Specifically, San Diego reported a single robbery involving three victims as three robberies. According to the OPE handbook, in any instances of robbery, institutions are to report one offense for each distinct incident. Institutions should not report a robbery with multiple victims as multiple robberies, as this leads to overreporting. San Diego had become aware of this error before we conducted our review, and we note that it plans to correct this statistic for its 2015 annual security report. Additionally, Redlands reported that a robbery and an aggravated assault occurred when the victim involved in the crime was assaulted and robbed of property. According to the hierarchy rule described in the Federal Bureau of Investigation's *Uniform Crime Reporting Handbook*, institutions must report only the most serious offense when more than one offense is committed during a single incident. Thus, for this crime, under the hierarchy rule, Redlands should have reported only the more serious offense of robbery, which the institution acknowledged. By reporting both offenses, Redlands overreported the number of aggravated assaults that occurred in 2013. The director of the department of public safety at Redlands indicated that the institution plans to correct these statistics in its October 2015 report.

In addition, although not appearing in Table 2 on page 13 because they were not yet required to be reported, we found that two institutions inaccurately reported crimes as domestic violence crimes. The Violence Against Women Reauthorization Act of 2013 (Reauthorization Act) requires institutions to report incidents of domestic violence, dating violence, and stalking. Although the U.S. DOE issued guidance in July 2014 describing these crimes, during our review period the institutions were required only to make a good faith effort to accurately report statistics for incidents of domestic violence, dating violence, and stalking. We found that in the instances where the two institutions inaccurately reported crimes as domestic violence that should have been reported as other types of crimes, they appeared to have made a good faith effort to report these crimes, and thus we did not include these instances as errors in Table 2. However, as of July 1, 2015, the institutions are required to report accurate Clery Act statistics for these crimes, and thus they should ensure that they clearly understand domestic violence, dating violence, and stalking crimes as legally defined.

Although the institutions stated that they take steps to review the accuracy of the crime statistics before submitting them to OPE, most still had errors in their crime reporting. All six institutions informed us that they have a review process to ensure that Clery Act crime statistics are accurately reported to OPE. For example, Stanford explained that it has a Clery Act compliance team that conducts a monthly review to ensure that cases have been properly classified and that the statistics are accurate. However, all institutions we reviewed, with the exception of Fresno, still reported at least one crime incorrectly, suggesting that their reviews could be improved. Fresno stated that it uses a case management system as well as a crime statistics spreadsheet that it reconciles against each other and, in doing so, verifies that the cases are reportable under the Clery Act and the statistics are accurate. Fresno explained that it then forwards the statistics to the institution's police lieutenant for his final approval before they are submitted to OPE. Shasta's director of campus safety explained that the campus began conducting an internal review of its 2013 crime statistics in October 2014 and identified errors that resulted in Shasta reducing the number of on-campus Clery Act crimes it reported by nine and increasing the number of on-campus Clery Act arrests it reported by two. The institution resubmitted the revised statistics to OPE in April 2015 when the U.S. DOE first allowed corrections. Nevertheless, the fact that these corrections occurred roughly six months after the initial submission to OPE could have resulted in prospective students, their families, and potential employees making misinformed decisions about where to study or work.<sup>10</sup>

Institutions could increase their compliance with the Clery Act by establishing and following written procedures to ensure that they thoroughly review the accuracy of the crime statistics included in their annual security reports before submitting them to OPE. Officials from each of the six institutions we reviewed explained that their respective institutions perform some review of their crime statistics to ensure that they are accurate and complete. However, at the time of our review, only one of the six institutions—Stanford—had established written procedures that clearly describe the steps of its review process. The remaining five institutions did not. After we notified the institutions of this shortcoming, Redlands established a written policy that describes its review procedures for reporting Clery Act crime statistics. Without written procedures that clearly describe the steps their review process entails, institutions lack assurance that they are reviewing their crime statistics adequately and consistently from year to year.

***Without written procedures that clearly describe the steps their review process entails, institutions lack assurance that they are reviewing their crime statistics adequately and consistently.***

<sup>10</sup> Because Shasta submitted the revised crime statistics to OPE in April 2015, which was after our site visit, we did not verify the accuracy of the revised crime statistics. However, we did verify that Shasta revised these statistics in April 2015, as Shasta's director of campus safety asserted.

### Five of the Six Institutions Failed to Include All Necessary Security Policy Disclosures in Their Annual Security Reports

Of the six institutions we visited, only Stanford fully disclosed all of the information that the Clery Act and federal regulations require in its 2014 annual security report. We identified 46 federally mandated disclosures covering a wide range of topics and specific security policies that the Clery Act and federal regulations require be included in an annual security report. For example, the report must include policies for assisting students who report sexual assaults and for assisting individuals who report that a student is missing. As shown in Table 3, Stanford had no missing or incomplete disclosures, while San Francisco had the most with 12. Table C beginning on page 43 in Appendix C lists the disclosure requirements and indicates whether the institutions we visited fulfilled them.

**Table 3**  
**Total Number of Missing or Incomplete Federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act Disclosures by Postsecondary Educational Institution**

POSTSECONDARY EDUCATIONAL INSTITUTION (INSTITUTION)	QUANTITY
Fresno City College	6
San Francisco State University	12
Shasta College	7
Stanford University	0
University of California, San Diego	1
University of Redlands	6

Source: California State Auditor's analysis of the institutions' 2014 annual security reports.

Note: We identified 46 total disclosures that federal laws and regulations require in the annual security reports.

Policy statements related to the Reauthorization Act were the most frequently incomplete or missing disclosures in the institutions' reports. As discussed in the Introduction, the Reauthorization Act added specific policy statements that institutions must include in their annual security reports. As shown in Table 4, five institutions failed to fully disclose at least one of the 12 required Reauthorization Act policies we identified in this area. These omissions may have occurred in part because the Reauthorization Act, effective in March 2014, first required institutions to disclose related procedures in their 2014 annual security reports.



**Table 4**  
**Six Postsecondary Educational Institutions' Compliance With Federal Law Requiring Disclosures of Campus Policies as Revised by the Violence Against Women Reauthorization Act of 2013**

POLICIES REVISED BY THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013 (REAUTHORIZATION ACT)	POSTSECONDARY EDUCATIONAL INSTITUTION (INSTITUTION)					
	FRESNO CITY COLLEGE	SAN FRANCISCO STATE UNIVERSITY	SHASTA COLLEGE	STANFORD UNIVERSITY	UNIVERSITY OF CALIFORNIA, SAN DIEGO	UNIVERSITY OF REDLANDS
<b>Policies Concerning Campus Law Enforcement and Crime Prevention</b>						
1 A statement of policies encouraging accurate and prompt reporting of all crimes to campus police and appropriate police agencies, when the victim of such crime elects or is unable to make such a report.	✓	◐	✓	✓	✓	✓
<b>Policies Regarding Campus Sex Offense Programs and Procedures</b>						
2 A description of educational programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking. These programs should include primary prevention and awareness programs for all incoming students and new employees, which must include a statement that the institution prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking, including the definition of these crimes; the definition of consent in reference to sexual activity; safe and positive options for bystander intervention; and information on risk reduction to recognize warnings of abusive behavior and how to avoid potential attacks, and ongoing prevention and awareness campaigns for students and faculty.	◐	◐	◐	✓	✓	◐
3 A statement of the procedures an institution will follow once an incident of domestic violence, dating violence, sexual assault, or stalking has been reported, including a statement of the standard of evidence that will be used during any institutional conduct proceeding arising from such a report. Procedures victims should follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking has occurred, including information in writing about the importance of preserving evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order.	✓	✓	◐	✓	✓	✓
4 Options regarding notifying law enforcement and campus authorities, including notification of the victim's options to notify proper law enforcement authorities, including on-campus and local police; be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and decline to notify such authorities.	✓	✓	✓	✓	✓	✓
5 Written notification of student and employees about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims, both on campus and in the community.	✓	✓	✓	✓	✓	✓
6 Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or law enforcement.	◐	◐	◐	✓	✓	✓

continued on next page . . .

POLICIES REVISED BY THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013 (REAUTHORIZATION ACT)	POSTSECONDARY EDUCATIONAL INSTITUTION (INSTITUTION)					
	FRESNO CITY COLLEGE	SAN FRANCISCO STATE UNIVERSITY	SHASTA COLLEGE	STANFORD UNIVERSITY	UNIVERSITY OF CALIFORNIA, SAN DIEGO	UNIVERSITY OF REDLANDS
7 A description of the rights of victims and the institution's responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.	✓	✗	◐	✓	✓	◐
<b>Processes the Institution Will Use to Take Disciplinary Action in Cases of an Alleged Sex Offense</b>						
8 A statement that the accuser and accused are entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice.	✓	✓	✓	✓	✓	✓
9 A statement of policies that both the accuser and accused will be simultaneously informed in writing of the outcome of any institutional disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking; of the institution's procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding; of any change to the results that occurs prior to the time that such results become final; and when such results become final.	✓	◐	◐	✓	◐	✓
10 A statement of policy of possible sanctions or protective measures that an institution may impose following a final determination of an institutional disciplinary procedure regarding rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking.	✓	✓	◐	✓	✓	✓
11 A statement of the institution's procedures for institutional disciplinary action in cases of alleged domestic violence, dating violence, sexual assault, or stalking, which shall include a clear statement that such proceedings shall provide a prompt, fair, and impartial investigation and resolution, which will be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.	✓	◐	✗	✓	✓	✓
12 A statement of policy on how an institution will protect the confidentiality of victims, including how publicly available record keeping will be accomplished without the inclusion of identifying information about the victim, to the extent permissible by law.	✓	✓	✓	✓	✓	✓
<b>Totals</b>						
✓ Fully disclosed	10	6	5	12	11	10
◐ Partially disclosed	2	5	6	0	1	2
✗ Not disclosed	0	1	1	0	0	0

Sources: California State Auditor's analysis of the six institutions' 2014 annual security reports and revisions to United States Code, Title 20, Section 1092 (f) as a result of the Reauthorization Act (Public Law 113-4).

We brought the missing disclosures to the attention of the five institutions, and we asked for their perspective on why the disclosures were not made. The director of the department of public safety at Redlands stated that he believed the institution was diligent in its compliance with the interim requirements and felt it demonstrated a good faith effort regarding what it included in its annual security report. The police lieutenant of Fresno’s community college district indicated that it is learning what the Reauthorization Act requires and, as a result, inadvertently overlooked disclosing the required policy statements and will add these statements to the institution’s 2015 annual security report. Shasta’s director of campus safety stated that the institution revised its policies to include the Reauthorization Act’s requirements; however, the policies were not finalized before the release of Shasta’s 2014 annual security report and, therefore, were not included. San Diego’s police department’s records and communications manager and San Francisco’s police department’s deputy chief of police stated that they will include the omitted information in their 2015 annual security reports. Nonetheless, the law was enacted in 2013, giving a full year’s lead time. Moreover, the U.S. DOE provided guidance to the institutions in May 2013 and July 2014 explaining that institutions should use the Reauthorization Act as the basis for revising or developing policies, procedures, and programs in advance of the annual security report due October 1, 2014. Thus, we believe that institutions had adequate advance notice and time to ensure that their annual security reports included all necessary policy statements related to the Reauthorization Act.

The institutions did not always provide descriptions of certain security policies and processes as the Clery Act and federal regulations require. In fact, three of the six institutions failed to fully disclose three or more policies related to their emergency response and evacuation procedures in their annual security reports. Further, four of the six institutions did not fully disclose at least one of the policies regarding campus sex offense programs and procedures. These are two of the seven areas of policies and processes for which the Clery Act and its implementing regulations require descriptions, as shown in the text box. The omitted or incomplete disclosures covered a variety of areas, such as policies encouraging accurate and prompt reporting of all crimes to campus police and appropriate law enforcement agencies, and a statement publicizing emergency response and evacuation procedures in conjunction with at least one test of those procedures per calendar year.

**Policies and Processes Postsecondary Education Institutions (Institutions) Must Describe in Their Annual Security Reports**

- Policies concerning annual reports and access to campus.
- Policies concerning campus law enforcement and crime prevention.
- Policies concerning illegal drugs and alcohol.
- Policies regarding campus sex offense programs and procedures.
- Processes the institution will use to take disciplinary action in cases of an alleged sex offense.
- Policies regarding campus emergency response and evacuation procedures.
- Processes the institution will use when there is a report of a missing student.

Source: Code of Federal Regulations, Title 34, Section 668.46, and United States Code, Title 20, Section 1092(f).

When we inquired about the missing or incomplete security policy disclosures, some of the institutions stated that they intentionally did not disclose the information. For example, the police lieutenant of Fresno's community college district indicated that the institution omitted a statement publicizing its emergency response and evacuation procedures in conjunction with at least one test per year to avoid compromising campus safety. He gave the example of wanting to prevent a potential active shooter's access to information on how and where the campus community will evacuate. Similarly, when we asked the director of Redlands' department of public safety about why the institution did not disclose a description of the process it will use to confirm that there is a significant emergency or a dangerous situation, he stated that the campus deliberately did not disclose this information because doing so could compromise campus safety in the event of criminal acts of violence against the campus community. However, the OPE handbook states that institutions are not required to publish in great detail how they would respond to specific emergencies; rather, institutions are to include all of their procedures and describe them in a manner that lets the campus community and others know what they will do and who or what office or organization will be responsible for each step along the way. Further, according to the OPE handbook, institutions are required to describe the process they will use to confirm that an emergency or dangerous situation exists.

The director of Redlands' department of public safety stated that the institution thought its 2014 annual security report contained sufficient disclosures of certain policies; however, we disagree. Specifically, the director of Redlands' department of public safety indicated that the institution believed its disclosure in the annual security report was sufficient. However, we found that Redlands did not disclose a description of the process it uses to test its response and evacuation procedures, including a description of the exercise, the date, the time, and whether it was announced or unannounced—components required by the OPE handbook.

***In response to our concerns, the five institutions with missing or incomplete security policy disclosures agreed to strengthen their disclosures in their future annual security reports.***

In response to our concerns, the five institutions with missing or incomplete security policy disclosures agreed to strengthen their disclosures in their future annual security reports. For example, Redlands provided us with a draft of its 2015 annual security report that shows statements it plans to include that would fully address all disclosure requirements. San Francisco also indicated that it is working on a draft of its 2015 annual security report and stated that it would be revising and updating its disclosures to include language that adequately addresses the federal policy disclosure requirements. Fresno, San Diego, and Shasta stated that they will either make changes to or include policy disclosures that we found to be incomplete or missing.

If institutions do not make all required security policy disclosures, students and other stakeholders may not have the information they need to make informed decisions about safety on campus, including information on the prevention of crime and the actions they should take in the event of emergencies. Moreover, institutions that fail to make these disclosures risk incurring federal financial penalties, as described in the Introduction.

### **Two of the Six Institutions Did Not Have Complete Daily Crime Logs**

The Clery Act requires that institutions with campus police or campus security departments maintain written daily crime logs of all crimes occurring on campus and reported to them, including Clery Act crimes and crimes that are not reportable under the Clery Act, such as petty theft. All entries in the daily crime logs must be open to public inspection within two business days of the initial report being made to the campus police or security department, unless disclosure of such information is prohibited by law or would jeopardize the confidentiality of the victim. According to the OPE handbook, these daily crime logs must be accessible on campus in either hard copy or electronic format and must be available for public inspection for the most recent 60-day period.

However, two of the six institutions we visited did not keep complete daily crime logs as required. When we reviewed a selection of Clery Act crimes that each institution reported, we also determined whether the institutions had recorded the crimes in their daily crime logs. The daily crime logs at Fresno, San Diego, San Francisco, and Stanford included all of the incidents we reviewed. However, Shasta's daily crime log did not include four of the 18 crimes we reviewed, and Redlands' daily crime log did not include three of the 17 crimes we reviewed.

According to Shasta's director of campus safety, he could not explain why the four crimes were omitted from the daily crime log because the individual who was responsible for the respective reportable period is no longer employed by the college. However, he stated that Shasta has developed and implemented a tiered approach to entering and approving the submission of crimes into the crime log; he explained that a team of three employees now conducts a daily review of the information that is entered into the daily crime log. In the case of Redlands, the director of the department of public safety stated that the daily crime log did not include a weapon law arrest and two stalking cases because of a rare occurrence in which Redlands' crime database did not accurately populate the crime into the daily crime log. Redlands' director of the department of public safety stated that the campus has amended its internal reporting procedures to prevent these types

*Two of the six institutions did not keep complete daily crime logs as required—Shasta did not include four of the 18 crimes we reviewed and Redlands did not include three of the 17 crimes we reviewed.*

*Some institutions should strengthen their practices for notifying students and employees of the availability of their annual security reports.*

of errors. If institutions do not maintain complete daily crime logs, the public may not have complete and timely information related to campus safety.

### **Most Campuses We Surveyed Reported Having Processes in Place to Help Ensure the Accuracy of Their Clery Act Statistics**

In addition to the six institutions discussed previously, we surveyed 79 campuses throughout the State with student enrollments of 500 or more that participate in certain federal financial aid programs and that reported no criminal offenses for 2013 to determine whether the institutions had established adequate processes for compiling and distributing their crime statistics to help ensure that they met Clery Act requirements.<sup>11, 12</sup> Most of the 79 respondents indicated that they had sufficient processes in place to do so. However, based on their responses, we believe some institutions should strengthen their practices for notifying students and employees of the availability of their annual security reports.

Most survey respondents reported that they have practices in place to help ensure that they fulfill their Clery Act crime-reporting requirements. For example, 76 percent of respondents indicated that they have provided specific training to the individuals responsible for compiling and distributing their annual crime statistics. Of the respondents, 76 percent indicated that their institutions follow guidance from the OPE handbook when compiling and distributing the annual crime statistics. Furthermore, 94 percent of respondents indicated that they have written policies and procedures for collecting and reporting crime statistics, which can be helpful in establishing consistent methodologies for fulfilling reporting requirements.

The majority of survey respondents also reported that they take steps to ensure that the campus crime statistics they report are complete and accurate. As mentioned earlier, federal regulations permit institutions to trust certain information they receive from outside law enforcement agencies. Specifically, federal regulations state that institutions “may rely on” information or crime statistics they receive from local or state law enforcement agencies and are not required to verify the accuracy of statistics

<sup>11</sup> We initially surveyed 80 institutions; however, one of the institutions closed after our survey was distributed.

<sup>12</sup> Although we have used the term *institutions* throughout this report to describe the entities that must comply with the Clery Act, in this section we discuss survey responses we solicited from selected *campuses* of institutions. Some institutions have more than one campus: For example, Shasta’s main campus is in Redding, but Shasta also maintains campuses in Red Bluff and Burney. We surveyed individual campuses, asking each respondent to tell us about his or her institution’s policies as they apply to that campus.

they receive from those agencies. Nonetheless, 72 percent of our survey respondents indicated that they verified the accuracy of the information they received from their off-campus sources, most often by reviewing reports. In addition, 81 percent of respondents said they took steps to verify the accuracy of the information they received from on-campus sources, most typically by emailing their on-campus sources and by reviewing reports from their off-campus sources. The majority of the campuses indicated that they request information in writing; specifically, 81 percent of respondents indicated that they request information about crimes from on-campus entities by email, and 62 percent stated that they request information about crimes from off-campus sources by email.

Although most survey respondents indicated that they provide a link on their websites to their security policies and annual crime statistics, some did not indicate that they take all the steps required to ensure that their students and employees are aware that these reports are available. For example, 77 percent of respondents to our survey indicated that their institution's websites include direct links to their policies and statistics. However, 21 percent of these respondents did not indicate that they notify their current students and employees by email, publication, or other means of their campus security policies and annual crime statistics. If institutions do not provide proper notification of the availability of their annual security reports, their students and employees are less likely to be aware of important information about the institution's security policies and crime statistics.

### **More Guidance Is Needed to Increase Institutions' Compliance with the Clery Act**

Since a statute in 2002 added the requirement for the California State Auditor (state auditor) to audit compliance with the Clery Act, our office has conducted five audits of a selection of California's institutions. Because of similarities in the issues we identified in this report and in our four previous reports published in December 2003, January 2007, January 2010, and October 2012, we believe that California's institutions' compliance with the Clery Act could improve with additional guidance both from the systemwide offices for their respective institutions and from a state entity that provides guidance to all institutions. Although the systemwide offices provide some guidance to their institutions regarding compliance with the Clery Act, the level of guidance they provide varies significantly and can be improved. In addition, although the U.S. DOE is responsible for overseeing compliance with the Clery Act by institutions that participate in federal student aid programs under Title IV of the Higher Education Act of 1965 (Title IV),

*California's institutions' compliance with the Clery Act could improve with additional guidance both from the systemwide offices for their respective institutions and an entity at the state level.*

***Without additional guidance at the state level, institutions may continue to report inaccurate crime statistics or fail to adequately disclose security policies in their annual security reports as required by the Clery Act.***

according to information available on its website, the U.S. DOE did not issue any final determinations on campus crime program reviews of California institutions between 2011 and 2014. Further, there is currently no state entity or other governing body to provide guidance to institutions throughout the State that could help ensure their compliance with the requirements of the Clery Act and the Reauthorization Act. As discussed in the Introduction, the U.S. DOE has stated that along with other considerations, the issue of campus safety is a vital concern for students and their families when choosing an institution. Without additional guidance at the state level, institutions may continue to report inaccurate crime statistics or fail to adequately disclose security policies in their annual security reports as the Clery Act requires. As a result, students and their families may be hindered from making fully informed decisions about campus safety, and institutions could be exposed to U.S. DOE penalties.

The University of California Office of the President (UCOP) currently provides guidance and trainings to its campuses regarding the Clery Act and is in the process of improving its efforts to ensure that institutions comply with the Clery Act's requirements. Specifically, according to its senior vice president and chief compliance and audit officer (senior vice president), staff communicate regularly with each campus's Clery Act coordinator, including via in-person meetings, monthly calls, in-person trainings, online trainings, and webinars. Additionally, the senior vice president explained that UCOP works closely with each campus's police chief and often invites the chiefs and other law enforcement personnel to Clery Act trainings and meetings. She stated that in conjunction with legal counsel, UCOP provides guidance to Clery Act coordinators concerning clarification and consistency in institutions' annual security reports. Further, the senior vice president explained that because of the complex requirements of the Clery Act, the Reauthorization Act, and the sexual violence/sexual assault components of Title IX of the Education Amendments of 1972 (Title IX), UCOP recently created a new director position to oversee compliance and guidance in these areas. She stated that UCOP is also in the process of developing a systemwide policy that will specifically address Clery Act requirements and reporting, which, according to its draft policies, will require periodic audits to confirm institutions' compliance. The senior vice president told us that UCOP expects this policy to be finalized in early 2016 and plans to implement an interim policy in July 2015.

Similarly, in March 2013 the California State University (CSU) Office of the Chancellor identified a need to increase the guidance and training it provides to its campuses regarding compliance with the Clery Act's requirements. As a result, according to



the assistant vice chancellor of strategic initiatives and support services (assistant vice chancellor), the CSU Office of the Chancellor initiated a task force, including a subcommittee dedicated to the Clery Act, which identified a further need and desire for training on Clery Act issues. Since April 2014 CSU has hosted two Clery Act trainings per year with presenters who have included, according to the assistant vice chancellor, an expert in the Clery Act field. In June 2014 the CSU Office of the Chancellor allotted additional resources to contract with Clery Act consultants, with the most recent contract ending in May 2016. The assistant vice chancellor explained that all CSU campuses have direct access to these consultants for any questions regarding compliance, reporting, or campus safety. Further, in January 2015, the CSU Office of the Chancellor's Office of Audit and Advisory Services identified the Clery Act as a high-risk area and subsequently began conducting audits of selected institutions for Clery Act compliance. The assistant vice chancellor stated that the CSU Office of the Chancellor is aware that formal policies and procedures regarding Clery Act compliance would enhance guidance to the institutions; however, while a general systemwide policy already exists, it is roughly 10 years old and additional substantive policies and procedures are in the process of being drafted.

In contrast to the efforts made by UCOP and the CSU Office of the Chancellor, according to the deputy chancellor of the California Community Colleges Chancellor's Office (Community Colleges Chancellor's Office), it has provided limited guidance to its institutions regarding Clery Act compliance and reporting. The deputy chancellor explained that although Clery Act reporting is the responsibility of the colleges, the Community Colleges Chancellor's Office endeavors to support the colleges in meeting this requirement as its staffing resources allow. He stated that the Community Colleges Chancellor's Office passes along information it receives from, for example, the California Department of Justice (Justice), Office of the Attorney General's (attorney general) summary of new and amended legislation to its respective institutions; however, it does not provide its institutions with formalized policies, procedures, or recommended internal controls to increase their compliance with the Clery Act. The deputy chancellor acknowledged that more can be done to provide guidance; however, he stated that the Community Colleges Chancellor's Office does not currently have the resources to give the requirements of the Clery Act, the Reauthorization Act, or Title IX the attention they deserve. As a result, we believe that California's community colleges are at a greater risk of reporting inaccurate Clery Act crime statistics and providing current and prospective students and their parents with incomplete information regarding safety on campus as well as incurring financial penalties.

***The Community Colleges Chancellor's Office does not provide its institutions with formalized policies, procedures, or recommended internal controls to increase their compliance with the Clery Act.***

In addition to the guidance the systemwide offices provide, the U.S. DOE offers guidance to the institutions through publications. As described earlier, the U.S. DOE's OPE handbook provides guidance to institutions on how to comply with the Clery Act. However, according to the U.S. DOE's director of Clery Act compliance (director), the U.S. DOE is in the process of adding new chapters to the handbook to reflect the changes made to the Clery Act requirements by the Reauthorization Act. He stated that the U.S. DOE intends to issue the revised handbook to the institutions in 2015. In addition to the OPE handbook, the director explained that the U.S. DOE provides additional guidance by way of distributing "Dear Colleague" letters and electronic announcements to institutional officials to provide updates or reinforce Clery Act areas of compliance.

In addition to providing guidance, the U.S. DOE is, according to federal law, the entity responsible for oversight of the institutions' compliance with the Clery Act. The director explained that the U.S. DOE conducts campus crime program reviews as part of that oversight. According to the director, in most years the U.S. DOE conducts between 10 and 20 campus crime program reviews, which are generally prompted by consumer complaints. According to the director, onsite regional teams also conduct general assessments as part of the U.S. DOE's reviews for Title IV compliance, which include a limited review of Clery Act compliance. Information obtained through its website indicates that between 2011 and 2014 the U.S. DOE issued final determinations on campus crime program reviews it conducted of 29 institutions. None of the 29 campus crime program reviews were of California institutions; however, according to the director, as of June 2015 the U.S. DOE had four open campus crime program reviews of California institutions. Further, information from the U.S. DOE's website as of June 2015 indicates that 17 of the 29 campus crime program reviews resulted in fines, and that reaching either a resolution or a settlement amount took from a year and a half to over three and a half years. The campus crime program reviews that are currently being conducted of four California institutions could take a similar length of time, if violations are found. The director at the U.S. DOE agreed that additional guidance by a state entity could help increase California institutions' compliance with the Clery Act and could help establish consistency among the institutions' policies and procedures related to the Clery Act.

As previously discussed, although oversight of institutions' compliance with the Clery Act is the responsibility of the U.S. DOE, the State does not currently have an entity or other governing body to ensure that institutions have the guidance and information necessary to ensure that they consistently interpret, and comply with, the requirements of the Clery Act. Such an entity could, among other activities, conduct periodic reviews of a selection of institutions' crime statistics and annual security reports to ensure that they satisfy Clery Act requirements and provide them with any necessary feedback on how to improve

***Between 2011 and 2014 the U.S. DOE issued final determinations on campus crime program reviews it conducted of 29 institutions, none of which were of California institutions.***

their reports. Further, the state entity could establish a help desk for institutions to call when they have questions regarding the Clery Act, such as how to properly categorize the location of a crime, an issue certain institutions have struggled with, as described earlier in this report and as noted in our past audits. Also, institutions could seek the state entity's perspective on whether their annual security reports satisfy the Clery Act's requirements by, for example, requesting that the state entity review the reports to make sure they contain all required security policy disclosures. Additionally, in this report and our prior campus crime reports issued in 2003, 2007, and 2010, we found that certain institutions were unsure of how to convert crimes defined in California's laws to Clery Act reportable crimes. A state entity could compile a comprehensive list converting crimes defined in California's law to Clery Act reportable crimes. Further, to ensure that institutions receive timely and consistent training on the Clery Act's requirements, a state entity could develop and disseminate training materials and conduct trainings at the institutions' request. Without this additional guidance, institutions will likely continue to inconsistently report their crime statistics and fail to fully disclose all required security policies—misinforming users of the reports and exposing the institutions to the U.S. DOE's penalties.

To identify whether the three systemwide offices would support such statewide guidance, we obtained their perspective. According to UCOP's senior vice president, UCOP would be fine with this type of collaborative relationship. The CSU Office of the Chancellor's assistant vice chancellor stated that a state entity to provide clarification of Clery Act requirements and coordinate training could be very beneficial. In addition, the deputy chancellor of the Community Colleges Chancellor's Office indicated that a state entity to provide coordination, direction, and assistance could be beneficial for California's community colleges, as the Community Colleges Chancellor's Office does not currently have the necessary resources to provide a sufficient level of guidance to its institutions. Further, California's private institutions do not have a systemwide body, such as UCOP, to provide guidance on the Clery Act, and we believe it is important for them to receive guidance on this topic as well.

Justice, headed by the attorney general, the State's chief law enforcement official, is well positioned to advise institutions on which California criminal statutes align with what must be reported under the Clery Act, and could therefore provide additional guidance on the Clery Act to all institutions. When we asked Justice for its perspective on this new role, it stated that it agrees that consistent statewide guidance regarding the Clery Act—along with Title IX and other protections under state and federal law—is important to ensure that students across California are able to live and thrive in learning environments free from harassment, discrimination, and violence. Justice explained that accurate, transparent crime statistics

***UCOP, the CSU Office of the Chancellor, and the Community Colleges Chancellor's Office all indicated that additional statewide guidance on the Clery Act requirements could be beneficial.***

are a critical component of ensuring trust and accountability for keeping students safe. Further, Justice stated that providing guidance to institutions regarding the Clery Act and other state and federal campus safety requirements can help to improve compliance with these important laws. However, Justice stated that the recommendation to create a help desk and a process by which institutions could request a review of their reports would be a departure from the traditional role of Justice and would require substantial new resources. Notwithstanding these reservations, according to Justice, it would welcome the opportunity to work with the Legislature and the California Department of Finance to assess how the State can improve its guidance in this area and what additional financial resources would be required to adequately implement the state auditor's recommendation.

### Recommendations

The Legislature should require Justice to provide guidance to California's public and private institutions and systemwide offices regarding compliance with the requirements of the Clery Act and the Reauthorization Act.

Redlands, San Diego, San Francisco, Shasta, and Stanford should review and adhere to applicable guidance related to the Clery Act, including the OPE handbook and the *Uniform Crime Reporting Handbook*, to ensure that they are accurately reporting their crime statistics.

Fresno, San Diego, San Francisco, and Shasta should create written procedures that clearly describe the review process they will undertake to ensure that they are reporting crime statistics consistently and accurately in their annual security reports.

Fresno, Redlands, San Diego, San Francisco, and Shasta should review and adhere to applicable guidance related to the Clery Act, including the OPE handbook and the *Uniform Crime Reporting Handbook*, to ensure that they are including all required disclosures in their annual security reports.

Redlands and Shasta should ensure that they include all crimes on their daily crime log, as required under the Clery Act.

To ensure that its respective institutions comply with the Clery Act, UCOP should finalize and implement its draft policy that will provide additional guidance and oversight to its institutions.

To ensure that its respective institutions comply with the Clery Act, the CSU Office of the Chancellor should develop written policies and procedures to provide guidance to its institutions on how to report

accurate Clery Act crime statistics and ensure that all required disclosures are included in its respective institutions' annual security reports. The CSU Office of the Chancellor should then annually revisit the written policies and procedures to ensure that they are up to date.

To ensure that its respective institutions comply with the Clery Act, the Community Colleges Chancellor's Office should develop written policies and procedures to provide guidance to its institutions on how to report accurate Clery Act crime statistics and ensure that all required disclosures are included in its respective institutions' annual security reports. The Community Colleges Chancellor's Office should then annually revisit the written policies and procedures to ensure that they are up to date.

We conducted this audit under the authority vested in the California State Auditor by Section 8543 et seq. of the California Government Code and according to generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives specified in the Scope and Methodology section of the report. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Respectfully submitted,



ELAINE M. HOWLE, CPA  
State Auditor

Date: July 16, 2015

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## Appendix A

### CRIMES AND VIOLATIONS THAT POSTSECONDARY EDUCATIONAL INSTITUTIONS MUST REPORT UNDER FEDERAL CRIME STATISTICS DISCLOSURE REQUIREMENTS

The federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and federal regulations require all postsecondary educational institutions that participate in federal student aid under Title IV of the Higher Education Act of 1965 (Title IV) to report statistics for the categories of criminal offenses and violations shown in Table A.<sup>13</sup>

**Table A**  
**Crimes and Violations Reportable Under the Federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act**

CRIME/VIOLATION	APPLICABLE DEFINITION
Aggravated assault	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. However, it is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used that could and probably would result in serious personal injury if the crime were successfully completed.
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, or personal property of another.
Burglary	Unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes the following: 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	Theft or attempted theft of a motor vehicle. This includes all cases in which automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned—including joyriding.
Murder and nonnegligent manslaughter	Willful (nonnegligent) killing of one human being by another.
Negligent manslaughter	The killing of another person through gross negligence.
Robbery	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.
Sex offense, forcible	Any sexual act directed against another person, forcibly and/or against that person's will, or not forcibly or against the person's will where the victim is incapable of giving consent.
Sex offense, nonforcible	Unlawful sexual intercourse not performed by force, such as incest or statutory rape.
Drug abuse violation	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; and arrests for violations of state and local laws, specifically those related to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.
Liquor law violation	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.
Weapon law violation	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.

*continued on next page ...*

<sup>13</sup> Title IV, as amended, provides funding to eligible students in the form of Pell grants and other federal student aid, including direct loans.

CRIME/VIOLATION	APPLICABLE DEFINITION
Hate crimes	Crimes reported to local police agencies or to a campus security authority that are any of the crimes described previously, other than violations of liquor, drug, or weapons laws; as well as larceny-theft, simple assault, and intimidation; destruction, damage, or vandalism of property; and any other crimes involving bodily injury that manifest evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability.
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; and where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, or the frequency of interaction between the persons involved in the relationship.
Domestic violence	Felony or misdemeanor crimes 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 receiving grant moneys, 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.
Stalking	Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others' safety or to suffer substantial emotional distress.

Sources: Code of Federal Regulations, Title 34, Section 668.46, Appendix A to Subpart D of Part 668, and United States Code, Title 42, Section 13925.



## Appendix B

### CRIME STATISTICS IN THE 2014 ANNUAL SECURITY REPORTS OF THE SIX POSTSECONDARY EDUCATIONAL INSTITUTIONS

The federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) and federal regulations require all postsecondary educational institutions (institutions) that participate in federal student aid under Title IV of the Higher Education Act of 1965 (Title IV) to report statistics for the categories of criminal offenses and violations described in Appendix A.<sup>14</sup> Tables B.1 through B.6 on the following pages summarize the criminal offenses, arrests, and disciplinary actions that the six institutions we visited reported for 2011, 2012, and 2013.

<sup>14</sup> Title IV, as amended, provides funding to eligible students in the form of Pell grants and other federal student aid, including direct loans.

**Table B.1**  
Fresno City College's Reported Crime Statistics Under the Federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

	NUMBER REPORTED		
	2011	2012	2013
Enrollment	28,230	29,744	30,360
<b>Federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) Criminal Offenses</b>			
Aggravated assault	1	0	1
Arson	7	1	0
Burglary	33	16	17
Motor vehicle theft	10	15	22
Murder and nonnegligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Robbery	1	4	9
Sex offenses, forcible	0	0	0
Sex offenses, nonforcible	0	0	0
<b>Subtotals</b>	<b>52</b>	<b>36</b>	<b>49</b>
<b>Clery Act Arrests</b>			
Drug abuse arrests	19	4	15
Liquor law arrests	5	0	4
Weapon law arrests	6	0	3
<b>Subtotals</b>	<b>30</b>	<b>4</b>	<b>22</b>
<b>Clery Act Disciplinary Actions</b>			
Drug abuse disciplinary actions	2	0	3
Liquor law disciplinary actions	0	0	3
Weapon law disciplinary actions	0	0	0
<b>Subtotals</b>	<b>2</b>	<b>0</b>	<b>6</b>
<b>Totals</b>	<b>84</b>	<b>40</b>	<b>77</b>

Sources: Crime statistics, which are based on a calendar year, from the U.S. Department of Education's Office of Postsecondary Education (OPE) Campus Safety and Security Statistics website as of February 23, 2015, and enrollment data from the California Community Colleges Chancellor's Office's annual 2011–12, 2012–13, and 2013–14 student counts.

Note: The Violence Against Women Reauthorization Act of 2013 amended the Clery Act to, among other things, require postsecondary educational institutions (institutions) to compile statistics for incidents of domestic violence, dating violence, sexual assault, and stalking. However, institutions are not required to submit these statistics to OPE until fall 2015. As a result, certain crimes listed in Appendix A beginning on page 33 and Table 1 on page 12 are not included in tables B.1 through B.6.

**Table B.2**  
**San Francisco State University's Reported Crime Statistics Under the Federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act**

	NUMBER REPORTED		
	2011	2012	2013
Enrollment	24,782	30,500	29,905
<b>Federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) Criminal Offenses</b>			
Aggravated assault	4	0	1
Arson	1	4	1
Burglary	41	42	13
Motor vehicle theft	18	16	26
Murder and nonnegligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Robbery	6	3	5
Sex offenses, forcible	4	0	4
Sex offenses, nonforcible	0	0	0
<b>Subtotals</b>	<b>74</b>	<b>65</b>	<b>50</b>
<b>Clery Act Arrests</b>			
Drug abuse arrests	45	24	10
Liquor law arrests	28	18	27
Weapon law arrests	5	2	6
<b>Subtotals</b>	<b>78</b>	<b>44</b>	<b>43</b>
<b>Clery Act Disciplinary Actions</b>			
Drug abuse disciplinary actions	0	31	9
Liquor law disciplinary actions	235	169	170
Weapon law disciplinary actions	0	0	0
<b>Subtotals</b>	<b>235</b>	<b>200</b>	<b>179</b>
<b>Totals</b>	<b>387</b>	<b>309</b>	<b>272</b>

Sources: Crime statistics, which are based on a calendar year, from the U.S. Department of Education's Office of Postsecondary Education (OPE) Campus Safety and Security Statistics website as of February 23, 2015, and the California State University's fall 2011, fall 2012, and fall 2013 enrollment data.

Note: The Violence Against Women Reauthorization Act of 2013 amended the Clery Act to, among other things, require postsecondary educational institutions (institutions) to compile statistics for incidents of domestic violence, dating violence, sexual assault, and stalking. However, institutions are not required to submit these statistics to OPE until fall 2015. As a result, certain crimes listed in Appendix A beginning on page 33 and Table 1 on page 12 are not included in tables B.1 through B.6.

**Table B.3**  
Shasta College's Reported Crime Statistics Under the Federal Jeanne Clery  
Disclosure of Campus Security Policy and Campus Crime Statistics Act

	NUMBER REPORTED		
	2011*	2012*	2013*†
Enrollment	12,727	12,215	12,465
<b>Federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) Criminal Offenses</b>			
Aggravated assault	7	9	24
Arson	1	0	0
Burglary	2	12	12
Motor vehicle theft	2	0	1
Murder and nonnegligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Robbery	1	0	0
Sex offenses, forcible	6	1	5
Sex offenses, nonforcible	0	0	0
<b>Subtotals</b>	<b>19</b>	<b>22</b>	<b>42</b>
<b>Clery Act Arrests</b>			
Drug abuse arrests	1	3	39
Liquor law arrests	0	4	3
Weapon law arrests	0	1	11
<b>Subtotals</b>	<b>1</b>	<b>8</b>	<b>53</b>
<b>Clery Act Disciplinary Actions</b>			
Drug abuse disciplinary actions	30	16	11
Liquor law disciplinary actions	15	20	9
Weapon law disciplinary actions	1	5	3
<b>Subtotals</b>	<b>46</b>	<b>41</b>	<b>23</b>
<b>Totals</b>	<b>66</b>	<b>71</b>	<b>118</b>

Sources: Crime statistics, which are based on a calendar year, from the U.S. Department of Education's Office of Postsecondary Education (OPE) Campus Safety and Security Statistics website as of April 14, 2015, and enrollment data from the California Community Colleges Chancellor's Office's annual 2011–12, 2012–13, and 2013–14 student counts.

Note: The Violence Against Women Reauthorization Act of 2013 amended the Clery Act to, among other things, require postsecondary educational institutions (institutions) to compile statistics for incidents of domestic violence, dating violence, sexual assault, and stalking. However, institutions are not required to submit these statistics to OPE until fall 2015. As a result, certain crimes listed in Appendix A beginning on page 33 and Table 1 on page 12 are not included in tables B.1 through B.6.

\* Shasta College (Shasta) reported two hate crimes in 2011, two in 2012, and two in 2013. Hate crimes are reported separately by the institution.

† Shasta's director of campus safety stated that Shasta performed a review of the 2013 crime statistics it reported to OPE in October 2014 and corrected some inaccuracies. However, Shasta's review was not finalized and submitted to OPE until April 2015, which was after our file review; therefore, we did not verify the accuracy of the revised crime statistics.

**Table B.4**  
**Stanford University's Reported Crime Statistics Under the Federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act**

	NUMBER REPORTED		
	2011*	2012	2013
Enrollment	19,945	18,217	18,136
<b>Federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) Criminal Offenses</b>			
Aggravated assault	2	12	3
Arson	5	0	0
Burglary	109	113	96
Motor vehicle theft	21	18	19
Murder and nonnegligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Robbery	2	1	2
Sex offenses, forcible	12	26	26
Sex offenses, nonforcible	0	0	0
<b>Subtotals</b>	<b>151</b>	<b>170</b>	<b>146</b>
<b>Clery Act Arrests</b>			
Drug abuse arrests	20	6	9
Liquor law arrests	40	52	89
Weapon law arrests	2	2	4
<b>Subtotals</b>	<b>62</b>	<b>60</b>	<b>102</b>
<b>Clery Act Disciplinary Actions</b>			
Drug abuse disciplinary actions	3	0	0
Liquor law disciplinary actions	1	0	7
Weapon law disciplinary actions	0	0	0
<b>Subtotals</b>	<b>4</b>	<b>0</b>	<b>7</b>
<b>Totals</b>	<b>217</b>	<b>230</b>	<b>255</b>

Sources: Crime statistics, which are based on a calendar year, from the U.S. Department of Education's Office of Postsecondary Education (OPE) Campus Safety and Security Statistics website as of May 13, 2015, and Stanford University's October 2011, October 2012, and October 2013 enrollment data.

Note: The Violence Against Women Reauthorization Act of 2013 amended the Clery Act to, among other things, require postsecondary educational institutions (institutions) to compile statistics for incidents of domestic violence, dating violence, sexual assault, and stalking. However, institutions are not required to submit these statistics to OPE until fall 2015. As a result, certain crimes listed in Appendix A beginning on page 33 and Table 1 on page 12 are not included in tables B.1 through B.6.

\* Stanford University reported one hate crime in 2011. Hate crimes are reported separately by the institution.

**Table B.5**  
University of California, San Diego's Reported Crime Statistics Under the  
Federal Jeanne Clery Disclosure of Campus Security Policy and Campus  
Crime Statistics Act

	NUMBER REPORTED		
	2011	2012*	2013
Enrollment	29,324	29,059	30,310
<b>Federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) Criminal Offenses</b>			
Aggravated assault	6	11	8
Arson	4	0	1
Burglary	31	25	55
Motor vehicle theft	38	24	27
Murder and nonnegligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Robbery	0	2	4
Sex offenses, forcible	6	12	20
Sex offenses, nonforcible	0	0	0
<b>Subtotals</b>	<b>85</b>	<b>74</b>	<b>115</b>
<b>Clery Act Arrests</b>			
Drug abuse arrests	23	25	46
Liquor law arrests	119	40	67
Weapon law arrests	1	0	7
<b>Subtotals</b>	<b>143</b>	<b>65</b>	<b>120</b>
<b>Clery Act Disciplinary Actions</b>			
Drug abuse disciplinary actions	357	588	406
Liquor law disciplinary actions	1,238	1,781	1,707
Weapon law disciplinary actions	5	9	3
<b>Subtotals</b>	<b>1,600</b>	<b>2,378</b>	<b>2,116</b>
<b>Totals</b>	<b>1,828</b>	<b>2,517</b>	<b>2,351</b>

Sources: Crime statistics, which are based on a calendar year, from the U.S. Department of Education's Office of Postsecondary Education (OPE) Campus Safety and Security Statistics website as of February 23, 2015, and the University of California's fall 2011, fall 2012, and fall 2013 enrollment data.

Note: The Violence Against Women Reauthorization Act of 2013 amended the Clery Act to, among other things, require postsecondary educational institutions (institutions) to compile statistics for incidents of domestic violence, dating violence, sexual assault, and stalking. However, institutions are not required to submit these statistics to OPE until fall 2015. As a result, certain crimes listed in Appendix A beginning on page 33 and Table 1 on page 12 are not included in tables B.1 through B.6.

\* University of California, San Diego, reported one hate crime in 2012. Hate crimes are reported separately by the institution.

**Table B.6**  
**University of Redlands' Reported Crime Statistics Under the Federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act**

	NUMBER REPORTED		
	2011	2012	2013
Enrollment*	4,769	4,956	5,147
<b>Federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) Criminal Offenses</b>			
Aggravated assault	0	2	2
Arson	0	1	0
Burglary	29	10	18
Motor vehicle theft	5	15	8
Murder and nonnegligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Robbery	0	1	3
Sex offenses, forcible	10	9	3
Sex offenses, nonforcible	0	1	0
<b>Subtotals</b>	<b>44</b>	<b>39</b>	<b>34</b>
<b>Clery Act Arrests</b>			
Drug abuse arrests	0	0	0
Liquor law arrests	0	0	0
Weapon law arrests	2	0	2
<b>Subtotals</b>	<b>2</b>	<b>0</b>	<b>2</b>
<b>Clery Act Disciplinary Actions</b>			
Drug abuse disciplinary actions	110	130	114
Liquor law disciplinary actions	425	354	315
Weapon law disciplinary actions	4	6	8
<b>Subtotals</b>	<b>539</b>	<b>490</b>	<b>437</b>
<b>Totals</b>	<b>585</b>	<b>529</b>	<b>473</b>

Sources: Crime statistics, which are based on a calendar year, from the U.S. Department of Education's Office of Postsecondary Education (OPE) Campus Safety and Security Statistics website as of May 13, 2015, and the University of Redlands' fall 2011, fall 2012, and fall 2013 enrollment data.

Note: The Violence Against Women Reauthorization Act of 2013 amended the Clery Act to, among other things, require postsecondary educational institutions (institutions) to compile statistics for incidents of domestic violence, dating violence, sexual assault, and stalking. However, institutions are not required to submit these statistics to OPE until fall 2015. As a result, certain crimes listed in Appendix A beginning on page 33 and Table 1 on page 12 are not included in tables B.1 through B.6.

\* Enrollment data is reported on a school year basis, while crime statistics are reported on a calendar year basis. For the purposes of this table, we included the 2011–12 enrollment data for the 2011 crime statistics, the 2012–13 enrollment data for the 2012 crime statistics, and 2013–14 enrollment data for the 2013 crime statistics.

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## Appendix C

### COMPLIANCE OF THE SIX POSTSECONDARY EDUCATIONAL INSTITUTIONS WITH FEDERAL LAW AND REGULATIONS REGARDING DISCLOSURE OF SECURITY POLICIES

The federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) and federal regulations require all postsecondary educational institutions (institutions) that participate in federal student aid under Title IV of the Higher Education Act of 1965 (Title IV) to prepare annual security reports that disclose certain campus security policies.<sup>15</sup> The Violence Against Women Reauthorization Act of 2013 amended the Clery Act to require institutions to include in their annual security reports certain policies, procedures, and programs pertaining to domestic violence, dating violence, sexual assault, and stalking, and the procedures the institutions will follow if such conduct occurs. Federal law and regulations describe 46 specific policies that each institution must disclose in its annual security report. These policies include procedures for students and others to report criminal actions. Table C indicates whether the six institutions we visited fully disclosed each of the required policies in their most recent annual security reports.

**Table C**  
**Six Postsecondary Educational Institutions' Compliance With Federal Law and Regulations Regarding Disclosure of Security Policies**

DESCRIPTION OF POLICY	POSTSECONDARY EDUCATIONAL INSTITUTION (INSTITUTION)					
	FRESNO CITY COLLEGE	SAN FRANCISCO STATE UNIVERSITY	SHASTA COLLEGE	STANFORD UNIVERSITY	UNIVERSITY OF CALIFORNIA, SAN DIEGO	UNIVERSITY OF REDLANDS
<b>Policies Concerning Annual Reports and Access to Campus</b>						
1 Disclosed its 2011, 2012, and 2013 crime statistics in its annual security report.	✓	✓	✓	✓	✓	✓
2 Policies for making timely warning reports to the campus community regarding the occurrence of crimes.	✓	✓	✓	✓	✓	✓
3 Policies for preparing annual disclosure of crime statistics.	✓	✓	✓	✓	✓	✓
4 A list of the titles of each person or organization to whom students and employees should report criminal offenses, and disclosure of policies and procedures, if any, that allow victims or witnesses to report crimes on a voluntary, confidential basis.	✓	✓	✓	✓	✓	✓
5 A statement of current policies concerning security of and access to campus facilities, including campus residences, and security considerations used in maintenance of campus facilities.	✓	✓	✓	✓	✓	✓

*continued on next page...*

<sup>15</sup> Title IV, as amended, provides funding to eligible students in the form of Pell grants and other federal student aid, including direct loans.

DESCRIPTION OF POLICY	POSTSECONDARY EDUCATIONAL INSTITUTION (INSTITUTION)					
	FRESNO CITY COLLEGE	SAN FRANCISCO STATE UNIVERSITY	SHASTA COLLEGE	STANFORD UNIVERSITY	UNIVERSITY OF CALIFORNIA, SAN DIEGO	UNIVERSITY OF REDLANDS
6 A description of procedures, if any, that encourage pastoral counselors 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.	✓	✓	✓	✓	✓	✓
<b>Policies Concerning Campus Law Enforcement and Crime Prevention</b>						
7 A statement of current policies concerning campus law enforcement, including the law enforcement authority of campus security personnel; the working relationship of campus security personnel with state and local law enforcement agencies, including whether the institution has agreements with such agencies, such as written memoranda of understanding, for investigation of alleged criminal offenses.	✓	✓	✓	✓	✓	✓
8 Policies that encourage accurate and prompt reporting of all crimes to the campus police and the appropriate law enforcement agencies, when the victim of such crime elects to or is unable to make such a report.	✓	■	✓	✓	✓	✓
9 A description of the type and frequency of programs designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others.	✓	✓	✓	✓	✓	✓
10 A description of programs designed to inform students and employees about prevention of crime.	✓	✓	✓	✓	✓	✓
11 A statement of policy concerning the monitoring and recording through local police agencies of criminal activity at off-campus student organizations that are recognized by the institution and that are engaged in by students attending the institution, including those student organizations with off-campus housing.	✓	✓	✓	✓	✓	✓
<b>Policies Concerning Illegal Drugs and Alcohol</b>						
12 A statement of policy regarding the possession, use, and sale of alcoholic beverages and enforcement of state underage drinking laws.	✓	✓	✓	✓	✓	✓
13 A statement of policy regarding the possession, use, and sale of illegal drugs and enforcement of federal and state drug laws.	✓	✓	✓	✓	✓	✓
14 A description of programs for drug or alcohol abuse education.	✓	✓	✓	✓	✓	✓
<b>Policies Regarding Campus Sex Offense Programs and Procedures</b>						
15 A description of educational programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking. These programs should include primary prevention and awareness programs for all incoming students and new employees, which must include a statement that the institution prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking, including the definition of these crimes; the definition of consent in reference to sexual activity; safe and positive options for bystander intervention; and information on risk reduction to recognize warnings of abusive behavior and avoid potential attacks, and ongoing prevention and awareness campaigns for students and faculty.	■	■	■	✓	✓	■

DESCRIPTION OF POLICY	POSTSECONDARY EDUCATIONAL INSTITUTION (INSTITUTION)					
	FRESNO CITY COLLEGE	SAN FRANCISCO STATE UNIVERSITY	SHASTA COLLEGE	STANFORD UNIVERSITY	UNIVERSITY OF CALIFORNIA, SAN DIEGO	UNIVERSITY OF REDLANDS
16 A statement of the procedures an institution will follow once an incident of domestic violence, dating violence, sexual assault, or stalking has been reported, including a statement of the standard of evidence that will be used during any institutional conduct proceeding arising from such a report. Procedures victims should follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking has occurred, including information in writing about the importance of preserving evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order.	✓	✓	●	✓	✓	✓
17 Options regarding notifying law enforcement and campus authorities, including notification of the victim's options to notify proper law enforcement authorities, including on-campus and local police; be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and decline to notify such authorities.	✓	✓	✓	✓	✓	✓
18 Written notification of student and employees about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims both on campus and in the community.	✓	✓	✓	✓	✓	✓
19 Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or law enforcement.	●	●	●	✓	✓	✓
20 A description of the rights of victims and the institution's responsibilities regarding orders of protection; no-contact orders; restraining orders; or similar lawful orders issued by a criminal, civil, or tribal court.	✓	✗	●	✓	✓	●
21 A statement advising the campus community where specified law enforcement agency information provided by a state concerning registered sex offenders may be obtained.	✓	✓	✓	✓	✓	✓
<b>Processes the Institution Will Use to Take Disciplinary Action in Cases of an Alleged Sex Offense</b>						
22 A statement that the accuser and accused are entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice.	✓	✓	✓	✓	✓	✓
23 A statement of policies that includes that both the accuser and accused will be simultaneously informed in writing of the outcome of any institutional disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking; the institution's procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding; any change to the results that occurs prior to the time that such results become final; and when such results become final.	✓	●	●	✓	●	✓
24 A statement of policy of possible sanctions or protective measures that an institution may impose following a final determination of an institutional disciplinary procedure regarding rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking.	✓	✓	●	✓	✓	✓

continued on next page...

DESCRIPTION OF POLICY	POSTSECONDARY EDUCATIONAL INSTITUTION (INSTITUTION)					
	FRESNO CITY COLLEGE	SAN FRANCISCO STATE UNIVERSITY	SHASTA COLLEGE	STANFORD UNIVERSITY	UNIVERSITY OF CALIFORNIA, SAN DIEGO	UNIVERSITY OF REDLANDS
25 A statement of the institution's procedures for institutional disciplinary action in cases of alleged domestic violence, dating violence, sexual assault, or stalking, which shall include a clear statement that such proceedings shall provide a prompt, fair, and impartial investigation and resolution, which will be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.	✓	●	✗	✓	✓	✓
26 A statement of policy on how an institution will protect the confidentiality of victims, including how publicly available record keeping will be accomplished without the inclusion of identifying information about the victim, to the extent permissible by law.	✓	✓	✓	✓	✓	✓
<b>Policies Regarding Campus Emergency Response and Evacuation Procedures</b>						
27 A statement of the policies the institution will use to immediately notify the campus community upon the 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.	✓	✓	✓	✓	✓	✓
28 A description of the process to confirm that there is a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.	✓	✓	✓	✓	✓	✗
29 A description of the process the institution will use to determine the appropriate segment or segments of the campus community to receive a notification.	✓	✗	✓	✓	✓	✓
30 A description of the process the institution will use to determine the content of the notification.	✓	✗	✓	✓	✓	✓
31 A description of the process the institution will use to initiate the notification system.	✓	✓	✓	✓	✓	✓
32 A list of the titles of the person or persons or organization or organizations responsible for carrying out the actions described above.	✓	✓	✓	✓	✓	✓
33 A statement that the institution will, without delay, and taking into the 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.	✓	✗	✓	✓	✓	✓
34 The institution's procedures for disseminating emergency information to the larger community.	✓	✓	✓	✓	✓	✓
35 A statement advising that tests of response and evacuation procedures may be announced or unannounced.	✗	●	✓	✓	✓	✗
36 A statement publicizing its emergency response and evacuation procedures in conjunction with at least one test per calendar year.	●	✗	✓	✓	✓	✓
37 A statement documenting, for each test, a description of the exercise, the date, time, and whether it was announced or unannounced.	✗	●	✓	✓	✓	✗
<b>Processes the Institution Will Use When There Is a Report of a Missing Student</b>						
38 A statement indicating the 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.	✓	✓	✓	✓	✓	✓

DESCRIPTION OF POLICY	POSTSECONDARY EDUCATIONAL INSTITUTION (INSTITUTION)					
	FRESNO CITY COLLEGE	SAN FRANCISCO STATE UNIVERSITY	SHASTA COLLEGE	STANFORD UNIVERSITY	UNIVERSITY OF CALIFORNIA, SAN DIEGO	UNIVERSITY OF REDLANDS
39 A statement requiring that any missing student report must be referred immediately to the institution's police or campus security department, or to the local law enforcement agency that has jurisdiction in the area.	✓	✓	✓	✓	✓	✓
40 A statement containing an option for each student to identify a contact person or persons whom the institution shall notify within 24 hours of the determination that the student is missing, if the student has been determined missing by the institutional police, campus security department, or local law enforcement agency.	✓	✓	✓	✓	✓	✓
41 A statement advising students that their contact information will be registered confidentially, that this information will be accessible only to authorized campus officials, and that it may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.	◐	✓	✓	✓	✓	✗
42 A statement advising students that if they are under 18 years of age and not emancipated, the institution must notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student.	✓	✓	✓	✓	✓	✓
43 A statement advising students that the institution will notify the law enforcement agency within 24 hours of the determination that the student is missing, unless the local law enforcement agency was the entity that made the determination that the student was missing.	✓	✓	✓	✓	✓	✓
44 The procedures that the institution must follow when a student who resides in an on-campus student housing facility is determined to have been missing for 24 hours, including, if the student has designated a contact person, notifying that contact person within 24 hours that the student is missing.	✓	✓	✓	✓	✓	✓
45 The procedures that the institution must follow when a student who resides in an on-campus student housing facility is determined to have been missing for 24 hours, including, if the student is under 18 years of age and is not emancipated, notifying the student's custodial parent or guardian and any other designated contact person within 24 hours that the student is missing.	✓	✓	✓	✓	✓	✓
46 The procedures that the institution must follow when a student who resides in an on-campus student housing facility is determined to have been missing for 24 hours, including, regardless of whether the student has identified a contact or is an emancipated minor, informing the local law enforcement agency that has jurisdiction in the area within 24 hours that the student is missing.	✓	✓	✓	✓	✓	✓
<b>Totals</b>						
◐ Partially disclosed	4	7	6	0	1	2
✗ Not disclosed	2	5	1	0	0	4
<b>Total disclosure errors</b>	<b>6</b>	<b>12</b>	<b>7</b>	<b>0</b>	<b>1</b>	<b>6</b>

Sources: United States Code, Title 20, Section 1092(f); Code of Federal Regulations, Title 34, Section 668.46; and information obtained from the institutions.

Note: Table C reflects every component of federal law and regulations regarding disclosure of security policies that we tested at each institution.

✓ = Fully disclosed

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July 2015

STATE OF CALIFORNIA

BRICE W. HARRIS, CHANCELLOR

CALIFORNIA COMMUNITY COLLEGES  
CHANCELLOR'S OFFICE1102 Q STREET, SUITE 4554  
SACRAMENTO, CA 95811-6549  
(916) 445-8752  
<http://www.cccco.edu>

June 30, 2015

Ms. Elaine Howle, State Auditor\*  
621 Capitol Mall, Suite 1200  
Sacramento, CA 95814

RE: Clery Act Reporting Draft Audit Report

Dear Ms. Howle:

The California Community Colleges Chancellor's Office appreciates the opportunity to review and comment on your report *California's Postsecondary Education Institutions: More Guidance Is Needed to Increase Compliance with Federal Crime Reporting Requirements*. In general, we find the report to be a thorough and accurate description of Clery Act reporting in California public higher education. The report effectively draws attention to an issue of great significance to Californians, with implications for both public safety and government transparency. We agree with the report's conclusion that the state can and should do more to support public colleges and universities to ensure full compliance with federal reporting requirements.

Again, we appreciate the opportunity to review and comment on this report. We look forward to working with you and your staff and other agencies as the report's recommendations are considered by state leaders and the public.

If you have any questions, please contact me at (916) 323-7007.

Sincerely,

A handwritten signature in black ink, appearing to read 'Erik Skinner'.

Erik Skinner  
Deputy Chancellor

\* California State Auditor's comment appears on page 51.

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## Comment

### **CALIFORNIA STATE AUDITOR'S COMMENT ON THE RESPONSE FROM THE CALIFORNIA COMMUNITY COLLEGES CHANCELLOR'S OFFICE**

To provide clarity and perspective, we are commenting on the response by the California Community Colleges Chancellor's Office (Community Colleges Chancellor's Office) to our audit. The number below corresponds to the number we have placed in the margin of the Community Colleges Chancellor's Office's response.

The Community College Chancellor's Office does not explicitly agree or disagree with our recommendation in its response. Instead, it states that it agrees that the State can and should do more to support public colleges and universities to ensure full compliance with federal reporting requirements. We look forward to the Community College Chancellor's Office's 60-day, six-month, and one-year updates on its progress in implementing our recommendation.

①

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July 2015



THE CALIFORNIA STATE UNIVERSITY  
OFFICE OF THE CHANCELLOR

BAKERSFIELD

June 30, 2015

CHANNEL ISLANDS

CHICO

Ms. Elaine M. Howle  
California State Auditor  
621 Capitol Mall, Suite 1200  
Sacramento, California 95814

DOMINGUEZ HILLS

EAST BAY

Dear Ms. Howle:

FRESNO

The California State University (CSU) welcomes the opportunity to respond to the draft audit report of *California's Postsecondary Education Institutions: More Guidance Is Needed to Increase Compliance with Federal Crime Reporting Requirements*. We appreciate the time and effort dedicated by the California State Auditor in conducting this important audit.

FULLERTON

HUMBOLDT

LONG BEACH

The CSU fully recognizes the critical importance of campus safety information and making accurate disclosures to students and other stakeholders so that they can make informed decisions. In fact, in March 2013, the Office of the Chancellor (CO) identified a need to increase the guidance and training it provides to campuses regarding compliance with the Clery Act's requirements. As a result, the CO initiated a task force, including a subcommittee dedicated to the Clery Act. The subcommittee is working to identify any need for additional systemwide policies that provide substantive guidance in complying with the Clery Act. It is expected that the subcommittee will make some substantive policy recommendations and suggest the possible establishment of a systemwide framework for compliance, as well as identify possible training opportunities on Clery Act issues. Since April 2014, CSU has hosted three Clery Act trainings, including training by Clery Act experts, with plans for a fourth training later this year. In June 2014, the CO allotted additional resources to contract with Clery Act consultants; all CSU campuses have direct access to these consultants for any questions regarding compliance, reporting, or campus safety. Moreover, in January 2015, the CSU Office of Audit and Advisory Services identified the Clery Act as a high-risk area and subsequently began performing audits at six CSU campuses.

LOS ANGELES

MARITIME ACADEMY

MONTEREY BAY

NORTHRIDGE

POMONA

SACRAMENTO

SAN BERNARDINO

SAN DIEGO

**Recommendation:** To ensure its respective institutions comply with the Clery Act, the CSU Office of the Chancellor should develop written policies and procedures to provide guidance to its institutions on how to report accurate Clery Act crime statistics and ensure that all required disclosures are included in their respective institutions' annual security reports. The CSU Office of the Chancellor should annually revisit the written policies and procedures to ensure they are up to date.

SAN FRANCISCO

SAN JOSÉ

SAN LUIS OBISPO

SAN MARCOS

SONOMA

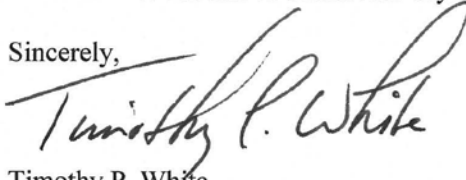
STANISLAUS

Ms. Elaine M. Howle  
June 30, 2015  
Page Two

**Response:** We concur. We will develop written policies and procedures to provide guidance to the campuses on how to report accurate Clery Act crime statistics and ensure that all required disclosures are included in their annual security reports. In addition, we will annually review the policies and procedures to ensure they are up to date.

Please do not hesitate to contact me if you have questions.

Sincerely,

A handwritten signature in black ink that reads "Timothy P. White". The signature is written in a cursive style with a large, looping initial 'T'.

Timothy P. White  
Chancellor

TPW/cs

July 2015



## OFFICE OF THE PRESIDENT

1600 Holloway Avenue  
San Francisco, CA 94132phone: 415/338-1381  
fax: 415/338-6210  
web: president.sfsu.edu

June 30, 2015

California State Auditor  
621 Capitol Mall, Suite 1200  
Sacramento, CA 95814**RE:** San Francisco Redacted Agency Draft—Report No. 2015-032

Dear State Auditor,

This letter is in response to Report No. 2015-032 on California's postsecondary educational institution's compliance with federal crime reporting requirements from the California State Auditor. I have read and reviewed the report and agree with the following recommendations presented by the State Auditor.

## Recommendations:

1. San Francisco should review and adhere to applicable guidance related to the Clery Act, including the OPE handbook and the *Uniform Crime Reporting Handbook* to ensure that they are accurately reporting their crime statistics.
2. San Francisco should create written procedures that clearly describe the review process they will undertake to ensure that they are reporting crime statistics consistently and accurately in their annual security reports.
3. San Francisco should review and adhere to applicable guidance related to the Clery Act, including the OPE handbook and the *Uniform Crime Reporting Handbook* to ensure that they are including all required disclosures in their annual security reports.

Sincerely,

A handwritten signature in cursive script that reads "Leslie E. Wong".

Leslie E. Wong  
President

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July 2015



# Shasta College

Shasta-Tehama-Trinity Joint Community College District  
 11555 Old Oregon Trail • P.O. Box 496006 • Redding, CA 96049-6006  
 Phone: (530) 242-7500 • Fax: (530) 225-4990  
[www.shastacollege.edu](http://www.shastacollege.edu)

June 30, 2015

California State Auditor  
 Elaine Howle  
 621 Capitol Mall, Suite 1200  
 Sacramento, CA 95814

Dear Elaine Howle,

Shasta-Tehama-Trinity Joint Community College District strives to provide a safe learning environment. The Audit conducted by the California State Auditors has brought attention to areas we can improve our compliance with the Jeanne Clery Act. Shasta College has and will continue to take whatever steps necessary to maintain full compliance with the act.

We acknowledge the findings with respect to the over reporting of one Burglary, Missing or Incomplete Policies and Crime Log.

We have reviewed and will adhere to applicable guidelines in the OPE and FBI Uniform Crime Reporting Handbooks. Shasta College has corrected the statistical data with respect to the over-reporting of the Burglary. We have taken corrective action by creating or adding policies to ensure that all required policies and disclosures are included in the Annual Security Report. We have created a review team to ensure that crimes are captured accurately on the daily crime log.

We appreciate the professionalism and courteous demeanor shown to our staff during this review.

Sincerely,

*Lonnie Seay*

Lonnie Seay,  
 Director of Campus Safety  
 (530) 242-7912  
 Fax (530) 225-3905  
 Shasta College, 11555 Old Oregon Trail, Building 5000, Redding, CA 96003

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Governing Board Members

Rhonda E. Nehr Harold J. Lucas Duane K. Miller Kendall S. Pierson Rayola B. Pratt Robert M. Steinacher Scott J. Swendiman  
 McArthur Red Bluff Anderson Redding Shasta Coming Redding

---

Superintendent/President  
 Joe Wyse, Ed.D.

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STANFORD UNIVERSITY  
DEPARTMENT OF PUBLIC SAFETY

Laura L. Wilson, *Director*

June 30, 2015

Ms. Elaine Howle, State Auditor\*  
California State Auditor's Office  
621 Capitol Mall  
SUITE 1200  
Sacramento, CA 95814

Dear Ms. Howle,

At President Hennessy's request, I write in response to the draft audit report on university compliance with federal crime reporting requirements, and specifically the findings relating to Stanford University.

We are pleased that the State found and acknowledged that Stanford is in compliance with all of the required Clery Act disclosures (Table 3, p. 5) and Violence Against Women Reauthorization Act of 2013 (VAWA) disclosures. (Table 4, p. 7/ p. 9.<sup>1</sup>) Stanford expended significant effort to ensure that we would be in compliance with these laws. ①

Stanford does not disagree with the conclusion that of the 55 crimes audited at Stanford, there were two reporting errors (one crime was inadvertently counted twice, and one crime was erroneously reported as having taken place in a student residence when that was not the case). Stanford Department of Public Safety staff engage in extensive quality control review of all statistics before submitting any report to the Department of Education. We have and will continue to examine our processes and seek ways to improve our compliance. Our Clery Compliance Coordinator has plans to conduct additional training with our staff, including the ten employees who have already attended D Stafford's Advanced Clery Training classes, to ensure crimes are properly categorized according to State and federal laws.

I would like to call your attention to page 10 of the report in which this audit notes that Stanford "inaccurately reported crimes as domestic violence crimes." As is described earlier in the State's report at pages three through five, the VAWA regulations that define domestic violence and dating violence crimes for reporting purposes do not become effective until July 1, 2015. It is therefore not possible for Stanford to have "inaccurately" reported crimes when the regulations requiring us to accurately report the crimes are not yet in effect. ① ② ③

Schools were asked to make good faith efforts to report dating and domestic violence crimes before the regulations became effective, as the State's report provides on page four. To this end, Stanford relied upon the definitions of domestic violence and dating violence available through the Federal Register as well as ③

<sup>1</sup> There may be a typo in the page numbering of the draft report we received. The bottom of page 7 indicates the table is continued on the next page. The next page in our draft report is marked as page 9 and appears to continue the same table.

\* California State Auditor's comments appear on page 61.

training provided by a national expert as to the likely definitions of these categories. Stanford included the anticipated definitions for domestic and dating violence on page 61 of our 2014 Annual Safety Report.

As noted in our report, the federal definition of domestic violence under VAWA includes a felony or misdemeanor act of violence . . . "committed by a current or former spouse or intimate partner of the victim...committed by a person similarly situated to a spouse of the victim under the domestic or family violence laws of [California], 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 [California]." California Penal Code section 13700(b) defines domestic violence as "abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship." California Penal Code section 243(e)(10)(f) defines a dating relationship to be "frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement independent of financial considerations". The incident in question was categorized as misdemeanor domestic violence pursuant to 243(e)(1) of the California Penal Code, which is defined as "battery committed against a spouse...or a person with whom the defendant currently has, or has previously had, a dating or engagement relationship". The parties in the matter in question were engaged in a dating relationship as defined by California law, so this incident meets the state definition of domestic violence. The suspect was an "intimate partner of the victim" and the victim "protected from that person's acts under the domestic or family violence laws of California". Given the California definition of domestic violence and the current VAWA definition of domestic violence, it is not clear to Stanford why the state contends that the crime in question was mis-categorized.

- ②
- ③ Even accepting the State's conclusion that the act should have been categorized as dating violence rather than domestic violence, there is no question that Stanford acted in good faith under circumstances in which the regulations were not in effect. Our obligation was to make a good faith effort to comply, which we did. It seems unreasonable for the State to fault our good faith efforts, especially considering the regulations and crime definitions were finalized after the due date of submission of statistical data to the Department of Education and after the finalization of our annual safety report. Given these facts, Stanford requests that the paragraph on page 10 be removed from the final report.

Sincerely,



Laura Wilson

Cc: John Hennessy, President  
Debra L. Zumwalt, Vice President and General Counsel

## Comments

### CALIFORNIA STATE AUDITOR'S COMMENTS ON THE RESPONSE FROM STANFORD UNIVERSITY

To provide clarity and perspective, we are commenting on Stanford University's (Stanford) response to our audit. The numbers below correspond to the numbers we have placed in the margin of Stanford's response.

We provided Stanford a shorter version of the draft audit report containing only those sections pertaining to it during the review period. Therefore, the page numbers Stanford cites in its response do not correspond to the page numbers in our final report.

①

On several occasions we discussed with Stanford the categorization of this particular crime as domestic violence instead of dating violence. During our fieldwork, Stanford confirmed that it had misunderstood the legal definitions and erroneously classified the crime. During and after the exit conference, we conferred with Stanford's legal counsel to gain an understanding of Stanford's discomfort with our conclusions. At no time did Stanford's legal counsel discuss the facts of the case or explain that Stanford believed the crime was domestic violence under state law. Instead, Stanford's legal counsel took issue with the language we used to describe the error and presented what was, in our view, an incorrect legal argument. However, at the end of its five-day review period of our draft report, Stanford finally provided a legitimate legal basis for classifying the crime as it did and the legal analysis upon which it based its decision. Based on our review of this new information, we deemed Stanford's conclusions reasonable and revised the text accordingly.

②

As we indicate on pages 7 and 16 of our report, we are aware that the federal government instructed campuses to make a good faith effort to comply with the law during the period of time between the effective dates of the provisions of the Violence Against Women Reauthorization Act of 2013, which amended the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) and its implementing regulations. For this reason, we did not include any inaccurate reporting of dating violence, domestic violence, or stalking during our audit period as an error in Table 2 on page 13. We also acknowledge on page 16 that any inaccuracies we identified for institutions in this area occurred during the good faith grace period; however, as of July 1, 2015, postsecondary educational institutions are required to report accurate Clery Act statistics for these crimes, and thus should ensure that they clearly understand domestic violence, dating violence, and stalking crimes as legally defined.

③

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July 2015



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## State Center Community College District

Police Department

1940 North Calaveras Avenue • Fresno, CA 93704 • (559) 442-8201 • FAX (559) 485-0481

Lieutenant Richard Gaines  
District Police Department-SCCCD  
1940 N. Calaveras  
Fresno, CA 93704

June 30, 2015

Elaine Howle  
State Auditor  
California State Auditor  
621 Capitol Mall, Suite 1200  
Sacramento, CA 95814

Dear Elaine Howle:

On behalf of Fresno City College and the District Police Department at State Center Community College District, we would like to thank the office of the California State Auditor for their professionalism during the recent audit of our Annual Security Report. Your team was extremely thorough and kept us advised of the status of the audit as it progressed.

On June 24, 2015, President Cynthia Azari of Fresno City College received two copies of the “Redacted Agency Draft” of the audit performed by your agency. The instructions accompanying the “redacted agency draft” advised we had (5) five business days to respond in writing to the recommendations made by the audit team with a due date of 5:00 p.m. on June 30, 2015. The recommendations were contained within the “Redacted Agency Draft” and are as follows:

- Fresno should create written procedures that clearly describe the review process they will undertake to ensure that they are reporting crime statistics consistently and accurately in their annual security reports.

Elaine Howle  
June 30, 2015  
Page 2

- Fresno should review and adhere to applicable guidance related to the Clery Act, including the OPE handbook and the Uniform Crime Reporting Handbook to ensure that they are including all required disclosures in their annual security reports.

We are committed to providing our prospective students, their families as well as our existing campus community with an accurate and complete Annual Security Report each year. We understand the importance of accurate crime statistics as well as the policies and processes institutions must describe in their reports that are required under the Clery Act and described in the OPE handbook.

The District Police Department has reviewed the results of the audit and will be taking the following steps to ensure our Annual Security Report contains all of the necessary information:

- The police department will draft a policy as to the process to be followed to ensure the cases entered into the case management system and statistical database are carried out on a daily basis, Monday thru Friday.
- The databases will include the date, time, location, nature of the crime and disposition of the case.
- The statistical database will be used to flag the cases that are Part 1 crimes under the Uniform Crime Reporting (UCR) Handbook and crimes that must be reported under the Clery Act.
- On a monthly basis, the case management and statistical database will be compared to one another to ensure accuracy.
- When compiling the statistics for the annual reporting, both databases will be used to generate the report of Clery crimes.
- The number generated will be verified and a list compiled in the format used for online Clery reporting.
- The reportable crimes would then be submitted to the police lieutenant for final verification and submission with the annual security report.
- The police department will form partnerships with the various offices on each of the campuses it services and encourage their attendance at annual Clery training.

Elaine Howle  
June 30, 2015  
Page 3

- The police department will send employees from dispatch and administration to annual Clery training. This will ensure that changes to reporting requirements as well as new policies and processes that must be described will be contained within the annual security report. Ongoing annual training will ensure the team completing the annual security report will always have complete, up to date and accurate information as to the required information and disclosures.
- The police department will carefully review the federally mandated disclosures that are required to be contained in the annual security report. As the department prepares the annual security report, it will ensure that the 46 federally mandated disclosures will be included in the annual security report.
- The police department will carefully review the policy statements related to the Reauthorization Act that are required to be disclosed in the annual security report. As the department prepares the annual security report, it will ensure that the 12 required Reauthorization Act policies will be included in the annual security report.
- The police department will carefully review the descriptions of policies and processes required by the Clery Act. As the department prepares the annual security report, it will ensure that all of the required policies related to emergency response and evacuation procedures will be included in the annual security report.

I hope this has addressed the recommendations outlined in the audit report. If for any reason you have questions or comments, please feel free to call us at 559-244-5911.

Sincerely,



Lieutenant Richard Gaines  
District Police Department-SCCCD

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July 2015

## UNIVERSITY OF CALIFORNIA

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<http://www.ucop.edu>

June 26, 2015

Ms. Elaine M. Howle  
California State Auditor  
621 Capitol Mall, Suite 1200  
Sacramento, California 95814

Dear Ms. Howle:

Thank you for your letter of June 24 and for the opportunity to review and respond to the audit report, "California's Postsecondary Educational Institutions: More Guidance Is Needed To Increase Compliance With Federal Crime Reporting Requirements. Below is the University's response to the recommendation in the report directed to the University of California Office of the President:

**Recommendation:**

To ensure its respective institutions comply with the Clery Act, UCOP should ensure that it finalizes and implements its draft policy that will provide additional guidance and oversight to its institutions.

**Response:**

We agree with this recommendation and will finalize the draft Crime Awareness and Campus Security Policy as planned.

Thank you and your staff for your professional and collaborative efforts in conducting this audit.

Yours very truly,

Handwritten signature of Janet Napolitano in cursive script.  
Janet Napolitano  
President

cc: Senior Vice President and Chief Compliance &amp; Audit Officer Vacca

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UNIVERSITY OF CALIFORNIA, SAN DIEGO

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SANTA BARBARA • SANTA CRUZ

9500 GILMAN DRIVE  
LA JOLLA, CALIFORNIA 92093-0919

June 29, 2015

Elaine M. Howle, CPA  
State Auditor  
California State Auditor's Office  
621 Capitol Mall, Suite 120  
Sacramento, CA 95814

Subject: Response to recommendations of Audit Report Number 2015-032, "California's postsecondary educational institutions' compliance with federal crime reporting requirements."

Dear Ms. Howle:

We have reviewed the report, concur with the findings and will be implementing corrections and procedures as described in the report, as noted below.

For additional questions or further information, please contact David Meier, UC San Diego Audit & Management Advisory Services, at (858) 534-1334.

It was a pleasure working with your staff. We appreciate their helpfulness and professionalism. Thank you for your guidance and assistance in our efforts to be in compliance with the requirements of the Clery Act.

Sincerely,

Pradeep Khosla  
Chancellor

Cc: J. Bruner, Chief Ethics and Compliance Officer  
D. Meier, Director, Audit & Management Advisory Services  
D. Rose, Police Chief  
S. Vacca, SVP and Chief Compliance and Audit Officer

## State of California Audit Report Number 2015-032

### Response to Findings

UC San Diego acknowledges a few inaccurate statistics in reporting Clery crimes, as noted in the California State Auditor's Report 2015-032. Specifically, we acknowledge errors in reporting the number of crimes (over-reporting), and the locations of certain crimes.

### Response to Recommendations

CSA recommends that UCSD should review and adhere to applicable guidance related to the Clery Act, including the OPE handbook and the *Uniform Crime Reporting Handbook* to ensure that they are accurately reporting their crime statistics

CSA recommends that UCSD should create written procedures that clearly describe the review process they will undertake to ensure that they are reporting crime statistics consistently and accurately in their annual security reports.

CSA recommends that UCSD should review and adhere to applicable guidance related to the Clery Act, including the OPE handbook and the *Uniform Crime Reporting Handbook* to ensure that they are including all required disclosures in their annual security reports.

UCSD concurs with all of the CSA's recommendations. We will be developing written procedures for the review of statistical data prior to submission to local, state, and federal institutions, and publication of the ASR. The procedures will include specific steps to be taken, including an ongoing review of the Uniform Crime Reporting and OPE handbooks, and the Clery Act, to ensure that reported data is accurate and consistent, and meets established reporting guidelines.

Errors noted by the CSA will be corrected in the 2015 ASR. Information omitted from last year's ASR regarding notification of disciplinary procedures and the appeal process will be included in the 2015 ASR. Prior to publication, the ASR will be thoroughly reviewed to ensure full disclosure of all applicable policies and policy statements.

July 2015



Office of Finance and Administration

June 30, 2015

Elaine M. Howle, CPA, State Auditor  
California State Auditor  
621 Capitol Mall, Suite 1200  
Sacramento, Ca 95814

Dear Ms. Howle:

Thank you for the opportunity to respond to the observations and recommendations from your agency's recent audit of the University of Redlands' Jeanne Clery Act reporting of calendar year 2013 crime statistics to the U.S. Department of Education, Office of Postsecondary Education, (OPE) as well as our 2014 Annual Security Report (ASR). President Kuncel is unavailable due to a major surgical procedure, so I am providing you with the University of Redlands' response on his behalf. The University of Redlands regards Clery compliance as a critical responsibility and recognizes that the accuracy of that reporting is a crucial element that is used by current and prospective students and employees in their quest to make informed decisions about the environment they entrust with their educational and employment prospects.

The University of Redlands concurs with each of the three recommendations noted in the audit report. Below you will find our statements of concurrence and completed methods of correction following each recommendation noted in the audit report:

**Recommendation #1:**

The University of Redlands should review and adhere to applicable guidance related to the Clery Act, including the OPE handbook and the *Uniform Crime Reporting Handbook* to ensure that they are accurately reporting their crime statistics.

**University Response:**

The University of Redlands concurs with this recommendation. During the reporting of calendar year 2013 crime statistics to the OPE, as well as in our ASR, we over-reported by one, the instance of an aggravated assault occurring during the commission of a robbery of a cellular telephone on public property adjacent to the campus. The University of Redlands erred in over-reporting this incident to the OPE and in the ASR as both a robbery and an aggravated assault. While both of those crimes occurred, the Clery guidelines clearly specify that only the greatest hierarchy crime in accordance with the Federal Bureau of Investigation's Uniform Crime Reporting Handbook are to be reported. In this instance, only the criminal act of robbery should have been reported. The University of Redlands will amend the data on the OPE website and in the ASR during the next reporting period in August of 2015.

Elaine M. Howle  
June 30, 2015  
Page 2

**Recommendation #2:**

The University of Redlands should review and adhere to applicable guidance related to the Clery Act, including the OPE handbook and the Uniform Crime Reporting Handbook to ensure that they are including all required disclosures in their annual security reports.

**University Response:**

The University of Redlands concurs with this recommendation. Prior to the audit, the Department of Public Safety followed internal procedures in accordance with guidelines contained in the OPE Handbook for Campus Safety and Security Reporting. However, during the audit process it was noted that the University of Redlands' summary descriptions of specified policy statements or procedures should be described in their entirety. Specifically, statements which completely address all educational programs to promote the awareness and prevention of occurrences of sexual misconduct for all incoming students and new employees; the rights of victims regarding protective orders; a description of all emergency response and evacuation procedures; and a complete description of the University's Missing Student Policy pertaining to designated confidential contact information. Following discussion with the auditors regarding this recommendation, the University of Redlands documented formal procedures in written format to address this issue prior to publication of the final audit report. In addition, the University of Redlands' ASR was revised to include each of the identified statements or procedures that had previously been described in summary as opposed to in entirety. The revised ASR will be posted on the University of Redlands website and available in print format at the Department of Public Safety during the next reporting period beginning in August 2015.

**Recommendation #3:**

The University of Redlands should ensure that they include all crimes on their daily crime log as required under the Clery Act.

**University Response:**

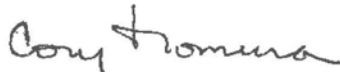
The University of Redlands concurs with this recommendation. During the audit, three crimes that had occurred on or adjacent to the campus were not contained in the University of Redlands' Daily Crime Log. Specifically, two instances of stalking and one instance of a weapon possession on University of Redlands property had been reported to the Department of Public Safety, but those crimes were not incorporated in the Daily Crime Log available for public inspection. The University of Redlands discovered that the investigating personnel manually entered the crime descriptions in the reporting database, as opposed to utilizing the automated dropdown menu function of the reporting system. While the manual entries were sufficient for completing the investigation format, unbeknownst to the entering personnel, they subverted the automated population function of the Daily Crime Log. Amended internal procedures have subsequently been instituted to preclude a recurrence of this situation. It should be noted, however, that *while the three identified crimes were not contained in the Daily Crime Log, they were all accurately reported to OPE and contained in the ASR as required by the Clery Act.*

Elaine M. Howle  
June 30, 2015  
Page 3

As illustrated above, the University of Redlands concurs with each of the recommendations discussed during the California State Auditors field examination and listed in the audit report. In accordance with those recommendations, the University of Redlands has completed all revisions addressing the identified issues in the ASR which will be published in August of 2015.

I appreciate the opportunity to provide these clarifying comments to your audit observations and recommendations. I believe this collaborative process serves to ensure full disclosure and compliance with the Jeanne Clery Act and provides a model for informed decision making by our current and prospective University Community members.

Sincerely,



Cory Nomura  
Vice President of Finance and Administration