

University Issues Annual Security Report

The University recently published its Annual Security Report, as required by the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”). The annual report, entitled “A Guide to Safety and Security,” may be accessed at <http://safety.uah.edu/>. Originally passed in 1990, the Clery Act imposes on universities certain disclosure responsibilities intended to allow present and prospective students and employees to have available to them information about a university’s security policies and campus criminal activity. This information is intended to help members of the campus community and the public assess the general level of safety of the campus environment.

Each year’s report includes information about the University’s law enforcement office (the Department of Public Safety) and its authority and specifies how reports of criminal activity or other emergencies may be made. The designation of University officials to whom such a report may be made, called “campus security officials,” has been expanded and now includes the following employees in addition to Department of Public Safety personnel:

- Director of Housing
- Assistant Director of Housing
- Coordinator of Residence Life
- Dean of Students
- Director of Judicial Affairs
- Director of Student Activities
- Director of Greek Life
- Director of Student Leadership Development and Service Learning
- Director of Athletics
- Staff in the Student Health Center
- Vice President of Diversity
- Associate Provost for Undergraduate Studies
- Associate Vice President for Human Resources

Any other University official with significant responsibility for student and campus activities is also included in the category of campus security officials. Crime prevention programs conducted by the University, such as special training sessions for housing officials, are to be described. Each institution is required to have an approved sexual assault program, including such elements as educational programs (*e.g.* date rape), victim counseling, procedures to be followed when a sex offense occurs, etc., and a statement of policy regarding these matters is to be described in the report.

The Higher Education Opportunity Act of 2008 (HEOA) added several new policy requirements for institutions of higher education with the stipulation that these policies are to be made a part of the annual security report. The first is a statement of policy regarding an

institution's response to a report that a student residing on campus is missing. This policy has been added to the University's 2010-11 Annual Security Report. The second is a policy statement as to how the university will notify the campus community of conditions posing a threat to student/employee health or safety. The University adopted a new "Emergency Notification (UAlert) Policy" this Fall, enhancing its existing notification program, and a summary of that policy is in this year's Annual Security Report.

Since the Clery Act became effective, an important component of the annual report is a display of statistics indicating the level of criminal activity occurring on campus and on university-related property. An institution is to disclose the number of criminal offenses for nine specified crimes; the number of arrests for alcohol law violations, drug law violations, and illegal weapons possessions; and the number of individuals who were not arrested for one of foregoing three offenses but who were referred to a campus' disciplinary process. This data is to be reported for the three most recent calendar years and, separately, for the campus in general, for an institution's residence halls, for certain non-campus property owned or controlled by the institution, and for contiguous public property (generally, adjacent streets). Any of these offenses that may be regarded as "hate crimes" are to be noted. Last year's (2009) data shows appreciable criminal activity only with respect to burglary offenses (11- campus/general); drug abuse arrests (11 - campus/general; and 21 - public property); and alcohol law violation disciplinary referrals (28 - campus/general; 26 - residence halls). A lesser level of activity occurred with respect to disciplinary referrals for drug abuse violations (9 - all in campus residence halls).

The HEOA added a new report for institutions of higher education, a Fire Safety Report. The University's report, entitled "Guide to Fire Safety," may also be found online at the web site address given above. This report includes information about fire safety training, student housing evacuation procedures, and various policies relating to appliances, smoking, etc. The fire safety systems in each campus residence hall are identified, and the report concludes with an identification of any residence hall fires for the past three calendar years. A fire is broadly defined in the regulations ("any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner"), and the University reported only three very minor residence hall fire incidents over this three year period.

The Clery Act, as amended by the HEOA, continues the emphasis of the federal government on placing the "consumers" of higher education - students and their parents - in a better position to compare and evaluate various facets of a university's operation. Whether the benefit is worth the time and cost burdens created for higher education institutions may be a topic open to reasonable debate. The obligation to comply with requirements of the Clery Act and other "student consumer rights" legislation is, however, indisputably part of the regulatory environment in which higher education must carry out its mission.