

Title: Campus Safety and Security Policies—Required Disclosures and Reports
Code: 5-350-200
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Purpose

This Policy is promulgated to aid University administrators in their efforts to comply with the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the “Clery Act”), as well as additional campus safety disclosure requirements established by the Higher Education Opportunity Act (HEOA). This Policy is based on the Clery Act and its implementing regulations, HEOA and its implementing regulations, as well as guidance provided by the U.S. Department of Education.

Introduction

The Clery Act and HEOA impose three different types of campus safety and security disclosure requirements on institutions of higher learning that participate in federal student financial aid programs. Universities are required to **formulate and disclose policies** dealing with a range of law enforcement, safety and security matters. They are also required to **maintain and provide access to logs and statistics** of crimes reported on campus, or disclosed by local law enforcement agencies, and to maintain logs and statistics concerning fires in on-campus residences. Finally, the Act requires institutions to **disseminate statistics** pertaining to crimes and fires.

Policy

Boston College complies with the campus safety and security disclosure requirements of the Clery Act and HEOA by (1) establishing and disclosing all required campus safety and security policies, (2) maintaining all required campus crime and fire logs and statistics; and (3) disseminating all required campus safety information, through the Annual Campus Security and Fire Safety Report, and the Annual web-based data collection conducted by the Department of Education, Office of Postsecondary Education. Procedures to be followed to assure compliance with the Clery Act and relevant campus safety and security provisions of HEOA are outlined in more detail below.

Capitalized terms used in this Policy but not defined in the text shall have the meanings ascribed in the glossary attached to this Policy as Schedule A.

CAMPUS SAFETY AND SECURITY POLICIES. The Policies listed below (“Campus Safety and Security Policies”) are promulgated by Boston College in compliance with the Clery Act and HEOA and included in the annual **CAMPUS SECURITY AND FIRE SAFETY REPORT**:

- Campus Facilities Security, Access and Maintenance (Policy 5-350-230)
- Reporting Crimes and Other Emergencies (Policy 5-350-210)
- Campus Safety Notification and Emergency Response Procedures (Policy 5-350-220)
- Annual Disclosure of Campus Crime Statistics (included in this Policy)
- Campus Law Enforcement (Policy 5-350-240)
- Campus Safety Awareness and Crime Prevention Programs (included in this Policy)
- Campus Sexual Assault Response and Prevention Program (Policy 5-350-250)
- Drug-Free Campus and Workplace Policy (Policies 1-300-020 and -025)
- Alcoholic Beverages Policy (Policy 1-300-050)
- Missing Student Notification Policy (Policy 1-350-260)
- Fire Safety Program (Boston College Fire Safety Program (Policy 5-350-270)

CAMPUS CRIME LOG. As outlined in Boston College Policy 5-350-001 (Boston College Police—Function and Responsibilities”) it is the responsibility of the Chief of the Boston College Police Department (“BCPD”) to maintain a daily Crime Log complying with the requirements of the Clery Act and to make the log open to public inspection as required by the Act.

CAMPUS FIRE LOG. As outlined in Boston College Policy 5-350-270 (“Boston College Fire Safety Program”) it is the responsibility of the Director of Environmental Health and Safety to maintain a

daily Fire Log complying with the requirements of the HEOA and to make such log open to public inspection as required by the Act.

ANNUAL CAMPUS SECURITY AND FIRE SAFETY REPORT. Boston College, acting through the Office of the Financial Vice President, shall distribute on or before October 1 of each year an Annual Campus Security and Fire Safety Report to all enrolled students and employees, and shall make such report available to prospective students and employees upon request. Preparation, distribution and notices of the availability of the Annual Security and Fire Safety Report shall comply with the following:

- Content of Report. The Annual Campus Security and Fire Safety Report shall include the following:
 - (i) All Campus Safety and Security Policies;
 - (ii) Statistics (“Crime Statistics”), indicating, for each of the three most recently ended calendar years, by Geographic Location and crime, the number of : (a) reported Clery Act Crimes, (b) reported Hate Crimes, and (c) Arrests and Referrals for Disciplinary Action; and
 - (iii) Statistics (“Fire Statistics”), indicating the following information for each reported fire in an on-campus student housing facility for the three most recently ended calendar years: the date and time, location, cause, number of injured persons needing medical treatment, number of deaths, and value of damaged property.
- Distribution of the Annual Campus Security and Fire Safety Report. The University shall distribute the Annual Campus Security and Fire Safety Report to enrolled students and employees either by campus mail, or by posting on an internet or intranet web page. In the event electronic posting is utilized, all enrolled students and employees shall receive individual notices of its availability by campus mail or email describing the report, providing the address of the internet or intranet website where it is posted, and instructions for obtaining a printed copy free of charge.
- Notices of Availability to Prospective Students and Employees. Boston College shall provide prospective students and employees with a notice describing the Annual Campus Security and Fire Safety Report and including instructions for either accessing the report on the internet or for obtaining a printed copy free of charge, in materials normally provided to such persons, such as the University Bulletin.

COMPLETION OF DEPARTMENT OF EDUCATION POSTSECONDARY EDUCATION INSTITUTIONS SURVEY. Boston College, acting through the Office of the General Counsel, participates in the Department of Education, Office of Postsecondary Education annual web-based collection of campus crime and fire statistics.

PREPARATION OF ANNUAL DISCLOSURE OF CRIME STATISTICS. The following outlines the University’s policy concerning the preparation of the annual disclosure of crime statistics.

- The BCPD is the official reporting authority at Boston College. Pursuant to the University Policy on Reporting of Crimes and Other Emergencies, all such reports should be made to the BCPD. Additionally, all Campus Security Authorities shall report to the BCPD any allegations of crimes reportable under the Clery Act of which they become aware and that they believe to be made in good faith.
- The Chief of the BCPD shall request annually from the police departments of the City of Newton, the City of Boston, the MBTA and from the Massachusetts State Police (“Public Police Agencies”) statistics of all reportable crimes that occurred during the most recently ended calendar year on Public Property.
- The Chief of the BCPD shall compile annual Crime Statistics from the following sources, taking care to reconcile all records to eliminate double reporting where possible: BCPD logs, reports of Campus Security Authorities, responses from Public Police Agencies, and the databases of the Office of the Dean for Student Development, and Residential Life.

PREPARATION OF ANNUAL DISCLOSURE OF FIRE STATISTICS. The Director of Environmental Health and Safety shall be responsible for the preparation of the of Fire Statistics in compliance with the Boston College Fire Safety Program (Policy 5-350-270).

CAMPUS SAFETY AWARENESS AND CRIME PREVENTION PROGRAMS. Boston College places a high priority on maintaining a safe and secure campus for all students, faculty, staff, and visitors. Members of the University community have the opportunity to learn about campus security procedures and the prevention of crime, and are encouraged to be responsible for their own security and the security of others, through programs presented by various administrative offices and student clubs and organizations. The Crime Prevention Unit of the BCPD, staffed by officers with specialized training, provides security awareness and crime prevention programs that stress both good personal safety habits and the importance of community safety.

Specific information about these programs and events can be accessed through visiting the BCPD's Crime Prevention website located at <http://www.bc.edu/offices/bcpd/prevention.html>

Exhibit A

GLOSSARY

While the meanings of certain terms used in this Policy are indicated wherever possible in the text, certain concepts are discussed below for clarity and ease of reference.

- *Geographic Location.* For purposes of this Policy the term “geographic location” shall refer to the following categories:
 - *Campus.* Any building or property owned or controlled by the University within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls. Although Boston College is comprised of its Chestnut Hill, Brighton and Newton Campuses, these areas are reasonably proximate and operated as part of an integrated environment. Accordingly, Boston College maintains and reports statistical information as a single campus.
 - *Noncampus Building or Property.* A building or property owned and controlled by an institution that is used in direct support of, or in relation to, the institution’s educational mission, is frequently used by students and is not within the same reasonable contiguous geographical area of the institution. An example of a Noncampus Building at Boston College is the Connor Family Retreat Center in Dover.
 - *Public Property.* This term refers to public property, such as streets and sidewalks, that is either located within a campus, or immediately adjacent and accessible from the campus.
- *Campus Security Authority.* The Clery Act defines a campus security authority broadly as (i) a member of a campus police department, (ii) any individuals who have responsibility for campus security, but who do not constitute a police or security department (such as gate attendants), (iii) any persons designated in an institution’s campus security policy as a recipient of reports of criminal offenses from students or employees; and (iv) an official of an institution having significant responsibility for student and campus activities. Campus security authorities are required to report to campus police allegations of crimes reportable under the Clery Act that they believe to be made in good faith. Exempted from this reporting requirement are Pastoral Counselors and Professional Counselors. (For more information please refer to Policy 5-350-210 “Reporting Crimes and Other Emergencies”)
- *Clery Act Crimes.* The Clery Act specifies that institutions must disclose statistics related to reports of particular crimes: murder, non-negligent manslaughter, negligent manslaughter, forcible and non-forcible sex offenses (limited to incest and statutory rape), robbery, aggravated assault, burglary, motor vehicle theft and arson (limited to investigated cases determined by law enforcement authorities to be arson). Definitions of these offenses are specified by the Clery Act to be those used by the Federal Bureau of Investigation Uniform Crime Reports handbook (“UCR”). As outlined in this Policy, the characterization of crimes for purpose of Clery Act statistics is the responsibility of the Chief of the BCPD.
- *Hate Crimes.* The Clery Act requires separate disclosure of reports of Clery Act Crimes, as well as the crimes of (i) simple assault (ii) larceny-theft, (iii) intimidation, (iv) destruction, damage or vandalism of property; and (v) all other crimes involving bodily injury, when such crimes are “Hate Crimes.” For purposes of the Clery Act, “Hate Crimes” are crimes whose reports include factual evidence that the victim was intentionally selected because of the perpetrator’s bias towards the victim’s race, gender, religion, sexual orientation, ethnicity or national origin, or disability. As outlined in this Policy, the characterization of crimes for purpose of Clery Act statistics is the responsibility of the Chief of the BCPD.
- *Arrests and Disciplinary Referrals.* The Clery Act also requires disclosure of the number of arrests and “referrals for disciplinary action” for violations of applicable weapons possession, drug, and liquor law violations. “Referral for disciplinary action” is defined as a referral of any person to any official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.” “Arrest” refers to the process of arrest, citation or summons. A formal charge is not required for an arrest to have taken place; rather any detention by a law enforcement

officer of an adult made with the intention of seeking charges, or of a juvenile with the intention of initiating some appropriate process beyond mere warning or admonishment is an arrest.