

Procedure: 7.1.1p2

Clery Act Compliance

Revised: January 21, 2026; April 30, 2025; November 16, 2020; July 23, 2018; and January 17, 2017.

Last Reviewed: March 25, 2025

Adopted: November 7, 2013



I. PURPOSE:

Many processes, procedures and practices are required to support compliance with the *Jeanne Clery Campus Safety Act* at each Technical College. These include, but are not limited to, reporting information to the U.S. Department of Education, producing, and distributing an Annual Security Report (ASR) or Annual Security and Fire Safety Report (ASFSR), providing appropriate timely warning and emergency notifications and complying with procedures associated with on campus student housing. The President of each technical college is directly responsible for the implementation of this procedure and shall provide sufficient resources, personnel, and administrative support to accomplish this end.

II. RELATED AUTHORITY:

Jeanne Clery Campus Safety Act or *Clery Act* federal statute codified at 20 U.S.C. § 1092(f) with implementing regulations in the U.S. Code of Federal Regulations at 34 C.F.R. 668.46

2022 Violence Against Women Act (VAWA) Reauthorization Public Law No: 117-103

Stop Campus Hazing Act Public Law No: 118-173

III. APPLICABILITY:

All Technical Colleges associated with the Technical College System of Georgia (TCSG).

IV. DEFINITIONS:

Clery Act: To begin with The *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* or *Clery Act* is a federal statute codified at 20 U.S.C. § 1092(f) with implementing regulations in the U.S. Code of Federal Regulations at 34 C.F.R. 668.46. The *Clery Act* requires all institutions participating in federal Title IV student financial assistance programs to keep and disclose information about crime on and near their respective campuses.

The *Stop Campus Hazing Act*, Public Law No: 118-173, subsequently changed the title of this Act to the *Jeanne Clery Campus Safety Act*.

Campus Security Authority (CSA): An individual with significant responsibility for student and campus activities including, but not limited to: campus police or security department personnel; individuals with security-related responsibilities; individuals or organizations identified in institutional security policies as an individual or organization to which students and employees should report criminal offenses; and any official who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings.

Clery Act Geography

- **On Campus Geography:** Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to, the institution's educational purposes, including residence halls.
- **Non-campus Geography:** Any building or property owned or controlled by a student organization officially recognized by the institution, or any building or property owned or controlled by an institution used in direct support of or in relation to, the institution's educational purposes, frequently used by students and not within the same reasonably contiguous geographic area of the institution.
- **Public Property:** All public property, including thoroughfares, streets, sidewalks, and parking facilities, within the campus, or immediately adjacent to and accessible from the campus.
- **Separate Campus:** A property or building owned or controlled by the institution, not reasonably geographically contiguous with the main campus, has an organized program of study and at least one person assigned in an administrative capacity.

Crime Statistics: The *Clery Act* requires the collection and reporting of four general categories of crime statistics including criminal offenses; hate crimes; *VAWA* offenses and arrests and referrals for disciplinary action.

On Campus Housing Facility: Any student housing facility owned or controlled by the technical college or is located on property that is owned or controlled by the institution and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

V. ATTACHMENTS: N/A

VI. PROCEDURE:

- A.** The President shall be directly responsible for the implementation of this procedure and shall provide sufficient resources, personnel, and administrative support to accomplish this end.
- B.** The President shall appoint the Chair of a collaborative Technical College Clery Act Compliance Team, demonstrative of the Technical College community and composed of, but not limited to, representatives of Human Resources, Police/Security Department,

Student affairs and Academic Affairs. The team shall meet regularly; provide formative and summative appraisal of the Technical College's Clery Act compliance; ensure orientation and training of team members; and oversee requisite reporting documentation.

C. Each TCSG College must establish, maintain, and promulgate a Clery Act Compliance Policy and/or procedure.

D. Clery Act Compliance Teams

1. TCSG College Clery Act Compliance Teams

- a. The College Clery Act Compliance Team membership includes, but is not limited to, Academic Affairs, Human Resources, Police Department, Student Affairs, and Titles VI & IX.
- b. The College Clery Act Compliance Team members must be trained annually, and training must be documented and archived within the corresponding annual College ASR/ASFSA Administrative File; this is the primary responsibility of the Clery Act Compliance Chair.
- c. The College Clery Act Compliance Team must meet at least six (6) times per year; agendas and minutes must be documented and archived within the corresponding annual College ASR/ASFSA Administrative File; this is the primary responsibility of the Clery Act Compliance Chair.

2. System Office Clery Act Compliance Team

- a. The System Office Clery Act Compliance Team membership includes but is not limited to the following System Office units: Academic Affairs, Human Resources, Student Affairs, Public Safety, and Titles VI & IX.
- b. System Office Clery Act Compliance Team members must be trained annually, and this training must be documented and archived; this is the primary responsibility of the System Office Clery Act Compliance Chair.
- c. The System Office Clery Act Compliance Team must meet at least twice per year, agendas and minutes must be documented and archived; this is the primary responsibility of the System Office Clery Act Compliance Chair.

E. Campus Security Authorities (CSAs)

1. TCSG College CSAs

- a. College CSAs include the following: (i) campus police or security department personnel; (ii) individuals with security-related responsibilities; (iii) individuals or organizations identified in institutional security policies as an individual or organization to which students and employees should report criminal offenses; and (iv) an official who has significant responsibility for student and campus activities, including, but not limited to, housing, student discipline, and campus judicial proceedings.
- b. College CSAs include, given the federal descriptor ((ABOVE)), but are not limited to: all the following roles: TCSG College Police Department sworn officers; College and contract security personnel; access control personnel; Student Affairs professionals (Student Conduct, residence hall staff, student activities); Athletic Department professionals (Athletic Directors, coaches, trainers); Academic Affairs; Facilities; custodial; separate campus overseers; student organization/ club advisors/sponsors; Title VI & IX Coordinators (both students and employees);

Study Abroad staff; students and, any others involved in any student or employee adjudication processes.

- c. All crimes, including all Clery Act Crimes involving anyone within the College Clery Geography, must be reported as soon as possible to the TCSG College Police Department; personally identifiable information may be withheld when indicated.
- d. Once made aware of a potential crime, inform the individual CSA status and duty to report.
- e. The identification of and notification of CSAs as well as the production of maintenance of College CSA Directory is the primary responsibility of the Human Resources unit.
- f. College CSAs must be trained annually (or just in time training when indicted); this training must be documented and archived within the corresponding annual College ASR/ ASFSR Administrative File; this is the primary responsibility of the Human Resources Unit.

2. System Office CSRs

- a. System Office CSAs include the following: (i) campus police or security department personnel; (ii) individuals with security-related responsibilities; (iii) individuals or organizations identified in institutional security policies as an individual or organization to which students and employees should report criminal offences; and (iv) an official who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings.
- b. System Office CSAs include, given the federal descriptor (ABOVE)) but are not limited to all individuals in System Office units to whom student or employee behavioral reports are directed including Academic Affairs; Human Resources; Legal Services; Public Safety; Student Affairs, and Title VI & IX.
- c. All crimes, including all Clery Act Crimes involving anyone within College Clery Act Geography, must be reported as soon as possible to the TCSG Police Department, personally identifiable information may be withheld when indicated.
- d. Once made aware of a potential crime, inform the individual of CSA status and duty to report.
- e. The identification of and notification of CSAs as well as the production of and maintenance of the System Office CSA Directory is the primary responsibility of the Human Resources unit.
- f. Annual System Office CSA training, as well as just in time training when indicated, must be provided and documented; this is the primary responsibility of the Human Resources unit.

F. College Police Departments

- 1.** Submit Reports of College Weapons incidents and Sex Offenses monthly, examining all College Record Management Systems and making formal requests of College units including, but not limited to: Human Resources; Student Affairs (Housing, Conduct, Life, Athletics, etc.); Title VI and Title IX for both students and employees.
- 2.** Support all victims of sexual misconduct with Victim's Rights Options, resources, and provide them with documentation.
- 3.** Notify the Title IX Coordinator(s) (students and employees) as soon as possible when the College Police Department becomes aware that a student and/or employee was involved in sexual misconduct.

4. Law Enforcement investigations of any crime should be conducted simultaneously with any other investigations, including those conducted by Human Resources, Student Conduct, Title IX or comparable College adjudication processes.
 5. All reported Clery Act Crimes must be assessed promptly for issuance of a Timely Warning or Emergency Notification and documented within the corresponding annual ASR/ASFSR Administrative File.
 6. All crimes involving anyone, including Clery Act Crimes with Clery Act Geography and College Police Department patrol jurisdiction, must be included within the Daily Crime Log within two days of the initial report.
- G. Technical colleges shall collect, classify, and count crime statistics categorized by the US Department of Education including:**
1. Criminal offenses:
 - a. Criminal Homicide: including murder and Non-Negligent Manslaughter
 - b. Sex Offenses including Rape, Fondling, Incest and Statutory Rape
 - c. Robbery
 - d. Aggravated Assault
 - e. Burglary
 - f. Motor Vehicle Theft
 - g. Arson
 - h. Hazing
 2. Hate crimes: involving the commission of the criminal offense categories listed above; as well as incidents of Larceny-Theft, Simple Assault, Intimidation, or Destruction, Damage or Vandalism of Property motivated by bias;
 3. Arrests and referrals for disciplinary action of students and employees for weapons law, drug law and liquor law violations; and
 4. VAWA offenses including domestic violence, dating violence and stalking.
(Sex Offenses are VAWA offenses but are included in the Criminal offenses category for *Clery Act* reporting purposes.)
 5. Hazing: Any intentional, knowing or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that (1) Is committed in the course of an initiation into, an affiliation with or the maintenance of membership in, a student organization; and (2) causes or creates a risk, above the reasonable risk encountered in the course of participation in the College or the organization (such as the physical preparation necessary for participation in an athletic team) of physical or psychological injury including:
 - a. whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body or similar activity;
 - b. causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics or other similar activity;
 - c. causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs or other substances;
 - d. causing, coercing or otherwise inducing another person to perform sexual acts;
 - e. any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
 - f. any activity against another person that includes a criminal violation of local, State, Tribal or Federal law; and

g. any activity that induces, causes or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal or Federal law.

- H. Technical colleges shall issue timely warnings regarding *Clery Act* crimes posing a serious or continuing threat to the safety of students and employees on campus.
- I. Technical colleges shall provide educational programs and campaigns to promote awareness of and prevention of sexual assault, domestic violence, dating violence and stalking.
- J. Technical Colleges shall provide educational programs and campaigns to promote awareness of and prevention of hazing.
- K. Technical colleges with police or security departments shall maintain a daily crime log documenting the nature, date, time, and general location of each reported crime and its disposition, if known. The daily crime log shall be open for public inspection.
- L. Technical colleges with on-campus housing shall maintain a fire log documenting the number of fires, cause of fires, injuries, deaths, and property damage associated with each on-campus student housing facility. The fire log shall be open for public inspection.
- M. Technical colleges with on-campus housing shall enact policies and procedures to address reports of missing students and disclose missing student notification procedures pertaining to students residing in those facilities.
- N. Technical colleges shall design and disclose emergency response and evacuation procedures as well as issue emergency notifications upon confirmation of significant emergencies or dangerous situations involving immediate threats to the health or safety of students and employees on campus.
- O. The TCSG System Office shall provide technical assistance in support of technical college *Clery Act* compliance.
- P. Technical colleges shall submit a monthly report of weapons-related incidents and sex offenses to the TCSG System Office.
- Q. Technical colleges shall submit the reviewed Annual Security Report (ASR) or Annual Security and Fire Safety Report (ASFSR) to the TCSG System Office on or before August 1 of each calendar year for periodic assessment.
- R. Technical colleges shall submit crime and fire (if applicable) statistics to the U.S. Department of Education by October 1 of each calendar year.
- S. Technical colleges shall prepare and distribute an Annual Security Report (ASR) or Annual Security and Fire Safety Report (ASFSR) disclosing safety and security related policy statements and crime statistics to all current and prospective students and employees on or before October 1 of each calendar year.

VII. RECORD RETENTION:

Annual Security Reports or Annual Security and Fire Safety Reports and all supportive documentation shall be retained for a period of seven (7) years.