

Policy Title: Clery Act Policy

Policy Number:

Date Issued: September 23, 2019

Responsible Executive: Senior Director of Compliance

Date Last Revised: February 14, 2024

Responsible Office: University Compliance Services

Clery Act Policy

Policy Statement

Baylor University is committed to providing students, employees and visitors with a reasonably safe and secure environment. Compliance with the Clery Act is one way the University demonstrates its commitment to campus safety and security.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”) is a federal law that requires Baylor University to disclose to the campus community information about certain crimes that occur on and near the campus, and other information about campus safety and security policies and procedures. This policy provides guidance to maximize Baylor’s efforts in complying with the Clery Act. In instances that Baylor University must deviate from this policy to satisfy new guidance, it will issue an Interim Policy under the University’s Policy on Policies.

Reason for the Policy

This policy outlines Baylor University policies, procedures, and responsibilities for complying with the Clery Act. It also establishes requirements and expectations regarding crime reporting as well as the development, documentation, and enforcement of certain campus safety and security policies, procedures, and practices required by the Clery Act, and information related to the fire safety provisions outlined in 34 CFR Part 668.49.

Individuals/Entities Affected by this Policy

All members of the Baylor University community are affected by this policy including Faculty, Staff, Students, Contractors, and Volunteers.

Exclusions

Under the Clery Act, employees who are Campus Security Authorities must report any reportable crimes to the University. Certain employees are specifically excluded from being a Campus Security Authority:

- any employee who is a licensed medical, clinical, or mental-health professional (e.g., physicians, nurses, physician’s assistants, psychologists, psychiatrists, professional counselors, and social workers, and those performing services under their supervision), while acting in that professional role in the provision of services to a patient;

- any employee providing administrative, operational, and/or related support for such health care providers in their performance of such services; and
- the University Chaplain while acting within a ministerial or pastoral role in the provision of services to a student, faculty or staff member.

As a matter of policy, the University encourages pastoral and professional counselors to inform the persons they are counseling on procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

Any student or employee who reports an incident of sexual violence, domestic violence, dating violence, or stalking (whether the offense occurred on or off campus) shall receive a written explanation of their rights and options from the Responsible Person to whom the incident is reported, including counselors and other confidential resources.

Except for Confidential Resources, all University employees are designated Responsible Employees and mandatory reporters of potential Title IX violations. Responsible Employees include all staff (hourly and salary), faculty, instructors, and teaching assistants. Responsible Employees must report immediately any information about suspected prohibited conduct or violations of the Title IX policy. Reports must include any known details such as identities of the parties and the date, time, and location of the incident. Confidential Resources who need not report to Title IX include those working in the Counseling Center, Health Center, and the University Chaplain when working in a professional capacity and not learning of a situation in an administrative function or role.

Related Documents and Forms

University Policies and Documents

- Policy Statement on Alcohol and Other Drugs
(<https://risk.web.baylor.edu/public/documents/030-policy-statement-alcohol-and-other-drugs>)
- Sexual and Interpersonal Misconduct Policy
(<https://risk.web.baylor.edu/public/documents/022-sexual-and-interpersonal-misconduct-policy>)
- Whistleblower Policy
(<https://risk.web.baylor.edu/public/documents/037-whistleblower-policy>)
- Fire Prevention Policy
(<https://risk.web.baylor.edu/public/documents/fire-prevention-policy>)
- Missing Persons Reporting Requirements
(<https://risk.web.baylor.edu/public/documents/missing-persons-reporting-requirements>)

Other Documents

- The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act
([U.S. Code of Federal regulation 34 C.F.R. Part 668.46](https://www.ecfr.gov/current/title-34-chapter-101-subchapter-B-section-101.46))
- Higher Education Act (<https://www2.ed.gov/policy/highered/leg/hea08/index.html>)
- Violence Against Women Act of 1994 (VAWA)
(<https://www.federalregister.gov/documents/2014/10/20/2014-24284/violence-against-women-act>)
- Clery Act Appendix for FSA Handbook
(<https://www2.ed.gov/admins/lead/safety/cleryappendixfinal.pdf>)

2. Clery Act Policy

Forms and Tools

- CSA Reporting Form (<https://www.baylor.edu/forms/index.php?id=988603>)
- Baylor University Report It page: <https://reportit.web.baylor.edu/>
- Baylor University Compliance and Ethics Hotline (EthicsPoint): <https://secure.ethicspoint.com/domain/media/en/gui/6771/index.html>
- Baylor University Police Department Anonymous Crime Report Form: <https://www.baylor.edu/forms/index.php?id=988601>
- Baylor University Incident Report Form: <https://www.baylor.edu/forms/index.php?id=988728>

Definitions

Annual Fire Safety & Security Report (AFSSR)	A public annual fire safety and security report disseminated by October 1 st each year in compliance with the Clery Act. This report includes campus crime statistics for the preceding three calendar years for all Clery reportable geographical locations. Also included are policy statements regarding (but not limited to) crime reporting, campus facility security and access, law enforcement authority, incidence of alcohol and drug use, fire safety information and the prevention of/response to sexual assault, domestic or dating violence and stalking.
Branch Campus	A separate campus or facility that is owned or controlled by the University, but is not reasonably contiguous with the main campus, has an organized program of study that leads to a degree or recognized educational credential and has at least one administrator.
Campus Security Authority (CSA)	<p>Individuals at Baylor who, because of their function, have an obligation under the Clery Act to notify the University of alleged Clery Crimes that are reported to them, or alleged Clery Crimes that they personally witness. These individuals, by virtue of their position due to official job duties, ad hoc responsibilities, or volunteer engagements, are required by federal law to report crime when it has been observed by or reported to them by another individual. These individuals typically fall under one of the following categories:</p> <ol style="list-style-type: none">1. A member of a campus police/security department;2. Individuals having responsibility for campus security in some capacity, but are not members of a campus police/security department (e.g., an individual who is responsible for monitoring the entrance to University property);3. People or offices that are not members of a campus police/security department, but where policy directs individuals to report criminal offenses to them or their office; or4. Officials having significant responsibility for student and campus activities, including but not limited to, student housing, student discipline and campus judicial proceedings. <p>Baylor University determines CSAs using the criteria established in the United States Department of Education's The Handbook for Campus Safety and Security Reporting (http://www2.ed.gov/admins/lead/safety/handbook.pdf), (2016 Edition).</p> <p>Examples of CSAs include, but are not limited to the following:</p>

3. Clery Act Policy

	<ul style="list-style-type: none"> • Police and Security personnel • Athletic Directors • Athletic Coaches • Faculty advisors to student organizations • Housing & Residence Life Staff • Director of Emergency Management • Directors of Women’s Center • Coordinators of Fraternity & Sorority Life • Title IX Coordinators
<p>Clery Act Crimes (Clery Crimes)</p>	<p>Crimes required by the Clery Act to be reported annually to the Baylor community, including:</p> <p>Criminal Homicide:</p> <ul style="list-style-type: none"> ○ Murder and Non-Negligent Manslaughter: the willful (non-negligent) killing of one human being by another. ○ Manslaughter by Negligence: the killing of another person through gross negligence. <p>Sexual Assault: Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. The four types of sexual assault counted for Clery Act purposes include rape, fondling, statutory rape, and incest. Attempted sexual assaults that are reported to CSAs are counted.</p> <p>Robbery: The 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.</p> <p>Aggravated Assault: An unlawful attack by one person upon another person for the purpose of inflicting severe or aggravated bodily injury.</p> <p>Burglary: The unlawful entry of a structure to commit a felony or a theft.</p> <p>Motor Vehicle Theft: the theft or attempted theft of a motor vehicle.</p> <p>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, etc.</p> <p>Hate Crimes: a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim based on one or more of eight specified categories of bias (including, in addition to the seven offenses listed above, any of the following, if motivated by such bias):</p> <ul style="list-style-type: none"> ○ Larceny-theft, ○ Simple Assault, ○ Intimidation, ○ Destruction/Damage/Vandalism of Property <ul style="list-style-type: none"> • 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. The existence of such a relationship shall be determined based on the

	<p>reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.</p> <ul style="list-style-type: none"> • Domestic Violence: a felony or misdemeanor crime 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 in which the crime of violence occurred; 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 in which the crime of violence occurred. • Stalking: engaging in a course of conduct directed at a specific person that would cause a reasonable person to: fear for the person’s safety or the safety of others; or suffer substantial emotional distress. • Arrests and Referrals for Disciplinary Action related to: <ul style="list-style-type: none"> ○ Liquor Law Violations, ○ Drug Abuse Violations, ○ Illegal Weapons Possession, Carrying, etc.
Clery Geography	<p>Property owned, leased, or controlled by the institution which includes:</p> <ul style="list-style-type: none"> • On Campus: areas reasonably contiguous to the University used in direct support of, or in a manner related to, the University’s educational purposes, <i>including residence halls</i>; and property within the same reasonably contiguous geographic area of the University that is owned by the University but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor). • Non-Campus: areas used in direct support of, or in relation to, the University’s educational purposes, is frequently used by students but is not reasonably contiguous to the University • 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.
Confidential Resource	<p>Any employee who is a licensed medical, clinical, or mental-health professional (e.g., physicians, nurses, physician’s assistants, psychologists, psychiatrists, professional counselors, and social workers, and those performing services under their supervision), when acting in that professional role in the provision of services to a patient; and any employee providing administrative, operational, and/or related support for such health care providers in their performance of such services. The Baylor University Chaplain is also a Confidential Resource when acting within a ministerial or pastoral role in the provision of services to a student, faculty, or staff member. Resident Chaplains and Athletic Chaplains are not Confidential Resources. When individuals who otherwise may be Confidential Resources receive reports of a Clery crime outside of the provision of services to a patient or Baylor University Chaplain ministerial relationship, the Confidential Resource is required to report that information to the University as provided by this Policy.</p>

Daily Crime and Fire Log	A log that records any alleged or confirmed criminal incidents reported to the Baylor University Policy Department that were reported to have occurred within the university's Clery Geography or the Extended Patrol Response Area of the BUPD. Additionally, any fire incidents reported to a Baylor Official which have occurred within Clery Geography are also logged. This log is maintained by BUPD in collaboration with the Clery Compliance Office and is used as a tool to keep the university community informed.
Disciplinary Referral	The 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. For Clery reporting purposes, statistics will be reported for liquor law, drug abuse and illegal weapons possessions violations.
Prospective Employee	An individual who has contacted the University requesting information concerning employment with that institution.
Prospective Student	An individual who has contacted the University requesting information concerning admission to that institution.
Timely Warning	Institutions are required to alert the campus community to certain crimes in a manner that is timely and will aid in the prevention of similar crimes.

Contacts

	Contact	Telephone	Office email/web site
University Compliance Services	Clery Compliance Manager	254-710-7643	Clery@baylor.edu
University Compliance Services	Senior Director of Compliance	254-710-2900	

Responsibilities

Academic Affairs	<ul style="list-style-type: none"> Provides curricular and co-curricular travel documentation to the Clery Compliance Office for assessment of Clery Act Non-Campus property reporting obligations. Notifies and collaborate with the Clery Compliance Office for logistical purposes prior to bringing any new programs or properties on line for Baylor University.
Admissions	<ul style="list-style-type: none"> Notifies and provides the on-line location of the AFSSR and a brief description of the report to prospective and current students; and Provides a paper copy of the AFSSR upon request to prospective and current students.
Athletics	<ul style="list-style-type: none"> Reports all alleged or confirmed crimes immediately to BUPD for a Timely Warning consideration. Provides necessary information and updates regarding policies, training, or related material that may affect Clery processes or the contents of the AFSSR. Provides travel documentation to the Clery Compliance Office for assessment of Clery Act Non-Campus property reporting obligations. Provides student athlete misconduct data monthly to the University Compliance Office.
Baylor University Department of Public Safety	<ul style="list-style-type: none"> Conducts quality investigations and write quality reports to assist in Clery crime statistic data analysis. Provides continued crime prevention education programs to the community and keep the Clery Compliance Office informed of the types and frequency of programs.

	<ul style="list-style-type: none"> • Ensures that <i>all</i> daily crime and fire log information for Baylor University Clery geography and extended patrol response areas are entered and disseminated within the appropriate time frame. • Assesses and document all Clery crimes and collaborate with campus partners for timely notification of information to the community. (Timely Warnings, Emergency Notifications, Safety Notifications). • Conducts an annual emergency alert exercise and test the emergency alert system in conjunction with the exercise. • Assists in obtaining crime statistics from local law enforcement with jurisdiction over Baylor University Clery geography. • Provides consistent and timely communication to the Clery Compliance Office on information about Clery crimes or other information as required by this Policy. • Provides necessary information and updates regarding policies or related material that may affect Clery processes or the contents of the AFSSR. • Investigates all reports of missing students by notifying and cooperating with other law enforcement agencies, as necessary. • Provides copies of the AFSSR to the public upon request.
Campus Security Authorities	<ul style="list-style-type: none"> • Understand their specific responsibilities under the Clery Act related to incidents reported to them. • Take part in Clery Act and CSA training, as required by this policy. • Report all crimes immediately to BUPD.
Clery Compliance Committee	<p>The Clery Compliance Committee is comprised of the following members:</p> <ul style="list-style-type: none"> • Clery Compliance Office • Baylor University Police Department • Student Conduct Administration • Campus Living & Learning • Title IX Office • Athletics • Office of Greek Life • Human Resources • Academic Affairs • Marketing and Communications • Global Engagement • Office of General Counsel • Youth Protection <p>The Clery Compliance Committee has the following responsibilities:</p> <ul style="list-style-type: none"> • Supports the Clery Compliance Office by ensuring that CSAs under their purview disclose reported crimes in a timely manner, and by counting and classifying crimes that are reported within their functional areas. • Assists in developing, writing, reviewing and ensuring the accuracy of the ASR and campus policies required to be included in the ASR, • Assists in the proper identification of relevant Clery Act geography, • Assists in programming, developing, and providing training and outreach efforts on the campus for compliance, and assist in overall compliance with the Clery Act and applicable Texas statutes. • Meets at a minimum annually, or more when necessary. • Provides regular updates to the Senior Director of Compliance
Clery Compliance Office	<ul style="list-style-type: none"> • Monitors the University’s compliance with the Clery Act through on-going self-assessment and periodic audits performed by Baylor’s Office of Internal Audit. • Updates this policy in response to changes in regulatory guidance, contemporary standards, or evolving best practices.

	<ul style="list-style-type: none"> • Coordinates with University partners, i.e., Real Estate, Facilities, etc. to ensure Baylor's Clery Geography is current; annually review all Clery Geography in conjunction with the Clery Compliance Committee. • Establishes procedures for processing instances of short-stay away trips in order to identify and train CSAs who are included during the trip. • Identifies, notifies, and certifies all Baylor CSAs and maintain a current list of those formally designated. • Develops and maintains infrastructure and procedures for CSA crime reporting. • Requests in writing, at least annually, crime statistics from local law enforcement with jurisdiction over Baylor's Clery Geography. • Maintains, produces, and publishes the AFSSR and disclose fire and crime statistics. • Maintains and publishes university policies and procedures addressing campus security and safety in coordination with applicable university partners. • Submits required crime and fire statistics to the U.S. Department of Education.
Human Resources	<ul style="list-style-type: none"> • Reports all crimes immediately to BUPD for a Timely Warning and/or Emergency Notification determination. • Notifies and provides to prospective employees the online location of the AFSSR and brief description about the report. • Provides a paper copy of the AFSSR upon request • Provides all employment conduct matters to the Clery Compliance Office for reconciliation
Student Life (Campus Living & Learning, Student Conduct Administration, and other units)	<ul style="list-style-type: none"> • Reports all crimes immediately to BUPD and the Clery Compliance Office for a Timely Warning and/or Emergency Notification consideration. • Provides all student conduct referral data to the Clery Compliance Office. • Provides the Clery Compliance Office with a list of advisors to University recognized groups, clubs and organizations; ensuring each of these advisors has completed Campus Security Authority training.
Equity, Civil Rights and Title IX	<ul style="list-style-type: none"> • Reports all crimes immediately to BUPD and the Clery Compliance Office for a Timely Warning and/or Emergency Notification consideration. • Provides relevant case data to the Clery Compliance Office for reconciliation.

Principles

The Clery Act is a federal statute requiring colleges and universities participating in federal financial aid programs to maintain and disclose campus crime statistics and security information. This Act requires Baylor University to report specified crime statistics on and near the campus and to provide other safety and crime information to the campus community. Interpretation of the Clery Act is regularly refined by U.S. Department of Education guidance. This policy provides guidance to maximize Baylor's efforts in complying with the Act. In instances that Baylor University must deviate from this policy to satisfy new guidance, an interim policy can be issued under the University's Policy on Policies.

Institutional Requirements for the Clery Act

A. General Expectations on Reporting

General Reporting Overview

Even though CSAs have an obligation to report all alleged or confirmed criminal activity, all members of the Baylor University community are encouraged to accurately and promptly report all criminal or suspicious activity and any potential emergencies to the Baylor University Police Department or appropriate law enforcement agency.

In addition to reporting criminal activity and emergencies, all members of the University community are strongly encouraged to report wrongdoing and unethical behavior to the University. The University commits to protecting individuals who make a protected disclosure from retaliation. University employees and students are encouraged to report wrongdoing or unethical behavior to their supervisors or the appropriate University department first. However, the individual can make a report through the University's Compliance and Ethics Hotline ([EthicsPoint](#)) if they are unsure where to report the conduct or if they are uncomfortable making the report and want to remain anonymous. For more information on reporting wrongdoing or unethical behavior, please see the university's [Whistleblower Policy](#).

All members of the University community are also expected to promptly report unsafe conditions and incidents which result in an injury or property damage. Members of the University community can make these reports by completing the University's [Incident Report Form](#).

Confidentiality and Victim Privacy

Any victims or witnesses to a crime, including victims of a crime who elect not to or are unable to make a formal complaint or do not wish to pursue action within the university or criminal justice system, are encouraged to report crimes on a voluntary, confidential basis to BUPD. BUPD can file a confidential report providing details of the incident without revealing the identity of a victim or witness to the extent allowed by federal or state law. The purpose of the confidential report is to keep the reporter's personally identifying information confidential while taking steps to ensure the reporter's safety and the safety of others. Reports filed in this manner are counted and disclosed in the University's Annual Security and Fire Safety Report.

Baylor University recognizes the sensitive nature of crimes, especially those that involve sexual and gender-based incidents. The University is required and committed to protecting the privacy of any individual who reports these incidents. As such, Baylor does not publish the name of crime victims or other identifiable information regarding victims in its publicly available Daily Crime Log, Timely Warnings, or Emergency Notifications.

Baylor also understands that in some cases, it may need to disclose information about a victim to a third party to provide necessary accommodations or protective measures. In these cases, Baylor's General Counsel, Title IX Coordinator, and Chief of Police will determine what information about a victim should be disclosed and to whom it will disclose this information. The University will consider as appropriate the wishes of the complainant and respondent, and its obligations to fully respond to reported incidents.

B. Publish an Annual Fire Safety & Security Report

By October 1st of each year, the Clery Compliance Office, in collaboration with several other University partners, including members of the Clery Compliance Committee, publishes the Baylor University AFSSR. The AFSSR includes three calendar years of Clery Act crime and fire statistics, and related security policies and procedures.

While not part of the Clery Act, the Higher Education Act (HEA) (codified at 34 CFR, Part 668.49) requires institutions that maintain on-campus student housing facilities to comply with HEA fire safety requirements. These include:

- Describing each on-campus student housing facility fire safety system in an annual report.
- Disclosing the Number of Fire Drills Held During the Previous Calendar Year
- Disclosing Baylor University Policies on Portable Electrical Appliances, Smoking, and Open Flames in Student Housing
- Disclosing Procedures for Evacuating Student Housing in the Event of a Fire
- Maintaining a log of all reported fires that occur in those on-campus student housing facilities;
- Submitting the fire statistics from the fire safety report annually to the U.S. Department of Education

Baylor University's Annual Fire Safety and Security Report can be found here: <https://risk.web.baylor.edu/compliance/clery-compliance/annual-report-crime-fire-statistics>

Procedures

The Baylor Clery Compliance Committee and various University partners review and actively share information throughout the year to ensure the most recent processes, procedures and policies are reflected in the current AFSSR prior to publication on October 1 of each year. The Clery Compliance Office assigns timelines to ensure Baylor publishes the report by the required deadline of October 1 of each year.

Baylor provides the AFSSR to all faculty, staff, and students by posting the Report on the Baylor University web site and notifying the campus community it has published the report. The University also notifies prospective students and employees of the availability of AFSSR via notices posted on the homepages of Human Resources, Undergraduate and Graduate Admissions, and Faculty Affairs. This notice includes instructions on how to access the report and request a paper copy. The Clery Compliance Office, in partnership with BUPD, is responsible for ensuring paper copies of the report are available upon request.

The Clery Compliance Office collaborates with Baylor Information Technology Services (ITS) to identify any students and employees who may not have access to email; therefore, may not receive the notice of availability. If ITS identifies individuals without access to baylor.edu emails, the Clery Compliance Office identifies and executes an alternative method of reaching these campus community members.

C. Identify, Notify, and Train Campus Security Authorities (CSAs)

Baylor University identifies positions which meet the definition of a CSA. Once identified, the Clery Compliance Office notifies individuals in these roles of their obligations under the Clery Act to report all Clery Crimes witnessed, or that are reported to them, which may have occurred in a Clery reportable location. Baylor University requires all CSAs to complete training and provides such training regularly.

Procedures

On an on-going basis, the Clery Compliance Office, in conjunction with the Clery Compliance Committee and Human Resources, identifies positions that meet the definition of a CSA. The

Clery Compliance Office works with Human Resources to coordinate the annotation in job descriptions of positions identified as CSAs. When a new employee occupies one of these positions or a current employee transfers to a CSA position, HR notifies the Clery Compliance Office.

Upon notification of the hiring of an employee occupying a position designated as a CSA, the Clery Compliance Office notifies the individual, via email, of their designation as a CSA and their obligations under the Clery Act. The Clery Compliance Office includes a copy of the Virtual Clery Act/CSA Training program in the email and notifies the individual of their obligation to complete the training. The Clery Compliance Office tracks the notification and certification. The Clery Compliance Office collaborates with the Office of Student Life and Human Resources to ensure student positions are tracked, notified, and certified appropriately. The University assigns CSA certification training upon employment. In addition to providing the CSA training presentation to all designated CSAs, the University provides several in-person training opportunities. The Clery Compliance Office regularly reviews and updates the list of designated CSAs.

D. Identify and Maintain Clery Geography

The Clery Act reporting requirements are specific to **where** the reported crime has occurred. The AFSSR only includes those crimes that have occurred on Clery Geography, as defined above, including on-campus, non-campus, and certain public property.

Clery Geography has special rules for off-site athletic events, study abroad programs, and student organization travel. In most cases, any crime occurring in a space where the University rents or leases facilities for student occupancy, to include hotels, for more than one night or on a regular basis from time-to-time, must be included in the Non-Campus geography category for reporting purposes.

Procedures

Any Campus Security Authority (CSA) traveling with student groups must fill out a travel form and complete CSA training before traveling.

Any academic or administrative department implementing a new program that creates new Clery geography must ensure that the Clery Compliance Office is provided notice in writing before the beginning of the program.

Baylor Real Estate Services must notify the Clery Compliance Office whenever there is a change to any newly acquired or leased property used for educational purposes.

E. Collect, Classify, Count, and Disclose Clery Act Statistics

Crime Statistics for incidents that occur in Clery Geography must be disclosed. The Clery Compliance Office, through consultation with various campus partners, is responsible for gathering and correctly categorizing crime statistics for Baylor University. These campus partners include but are not limited to: Baylor University Police Department, Student Conduct Administration, Title IX Office, Campus Living & Learning, Human Resources, local law enforcement agencies, Branch Campus Administrators and other Campus Security Authorities (CSAs).

It is not necessary for crimes to have been investigated, nor must a finding of guilt or responsibility be made for an incident to be required to be included in the AFSSR. These crimes are categorized as of the date they were reported, not the date of occurrence. All reported crimes must be determined to have occurred within Clery Geography before being included in the AFSSR.

The University must include reported crimes in the AFSSR even if the victim wants the incident or report to remain confidential or requests that no investigation take place. The AFSSR does not identify parties and provides limited information to preserve substantial confidentiality.

All statistics published within the AFSSR are submitted by the Clery Compliance Office to the U.S. Department of Education via the Campus Safety and Security Survey by the annual deadline.

Procedures

All parties designated as Campus Security Authorities have an obligation by law to report all *alleged Clery* crimes. A report may be made by a victim, a witness, or any third party, even if they did not witness the reported crime. Once a Campus Security Authority is involved, there is a responsibility to have that crime reported in the Annual Fire Safety and Security Report, as well as entered on the *Daily Crime and Fire Log* and provided to the public within two business days of the time the report was made to the Baylor University Police Department.

Campus Security Authorities employed within the CL&L, TIX, SCA or HR departments must forward reports to their supervisors and/or the BUPD immediately (or to the BUPD immediately if their supervisor is not available), so the report can be assessed for ongoing threats to the Baylor community so that, where necessary, a Timely Warning, Emergency Notification or Safety Notification can be issued as soon as possible.

Any person seeking Clery guidance or requesting information about whether they are a Campus Security Authority may e-mail Clery@baylor.edu.

Beginning in February of each year, the Clery Compliance Office will work to reconcile crime data. This review may include representatives from other University offices. In addition to crime reconciliation meetings, a meeting to review and compose aggregate records reflecting the previous year occurs annually each Spring semester. Each area provides an audit trail for their records.

While Baylor University assists with reminders and requests, prompt reporting of Clery Act crimes, reporting obligations are a continuous expectation and must be done upon receipt of the crime report.

The University is committed to protecting individuals from interference with making a protected disclosure or for having refused to follow an illegal instruction as defined by the [Whistleblower Policy](#).

F. Compile, Report, and Publish Fire Data

The Higher Education Opportunity Act of 1998 (HEOA) amended the Clery Act to require that institutions compile and publish fire statistics. These fire statistics only apply to Baylor On-Campus student housing facilities.

Procedures

The Baylor University Division of Public Safety provides the Clery Compliance Office with the information to be included in the AFSSR. This process is monitored each month to reconcile data in a timely matter. Expected information includes fire statistics for each on-Campus student housing facility separately for the three most recent calendar years for which data are available under HEOA regulations. Each facility must be identified in the statistics by name and street address, regardless of whether any fires have occurred.

Additionally, a description of the fire safety systems in each student housing facility is provided for inclusion in the AFSSR. These descriptions include mechanisms (e.g., fire extinguishers, fire doors, posted evacuation routes, etc.) or systems related to the detection, warning and control of a fire.

Reported fires include those already extinguished as well as those discovered while still burning. Any student housing fire that is reported to any official at Baylor University must be documented in the Daily Crime & Fire Log. An official is any person with the authority and the duty to act or respond to issues on behalf of Baylor University.

G. Maintain and Publish a Daily Crime and Fire Log

Baylor University has elected to combine the required daily crime log and daily fire log. The Daily Crime & Fire Log lists crimes, alleged crimes, and fire incidents that occur on campus, as well as within the extended patrol response area (EPRA) of the BUPD. This log provides crime and fire information on a timelier basis than the annual statistical disclosures and is updated every 24 to 48 hours during the business week. Up to 60 days of activity is available [online](#) or by request during normal business hours at the BUPD (1521 South Fourth Street, Waco, Texas 76706). Logs older than 60 days are available by making a request in person at the BUPD or by emailing the [request form](#). It may take up to two days to provide access to older data. Baylor University includes no Personally Identifying Information (PII) in the Daily Crime & Fire Log.

Procedures

Baylor University Police Department officials review all self-initiated reports, the Waco Police Department crime log, as available, and any report otherwise provided by Campus Security Authorities, including through on-line reporting systems. Each report of a crime is entered into the Records Management System and added to the Daily Crime Log within two business days of the report. All fire information is similarly handled to document the nature of the fire, date the fire occurred, date and time the fire was reported, and general location of each fire-related incident in an on-campus student housing facility reported to any Baylor official.

Once the information has posted, the Daily Crime Log is reconciled by the Clery Compliance Office. All case updates made within 60 days of the original Daily Crime and Fire Log entries is reflected.

H. Issuing Timely Warnings and Emergency Notifications

Timely Warnings

Baylor University must provide timely warnings about Clery Act crimes that are considered by the University to present a serious or continuing threat to students and employees. This is determined by one (or more) Baylor official(s) who have been pre-identified in BUPD's Policy #16.03.02: Emergency Notifications, Timely Warnings & Safety Notifications. Because the nature of criminal threats rarely is limited to a single location, timely warnings must be issued in a manner likely to reach the entire campus community. Timely warnings may be issued for Clery crimes occurring in Clery reportable locations. Timely warnings will never identify the victim of the crime.

The University may not be able to issue a timely warning if the crime is reported to a confidential resource in the context of a privileged (Confidential) communication. These communications and situations are not subject to the timely warning requirement unless the content of the information falls within an exception to applicable state and federal privacy laws and the information communicated indicates a threat for the person to harm self or others.

Emergency Notifications

Baylor University must inform the campus community about a significant emergency or dangerous situation involving an immediate threat to the health or safety of Baylor faculty, staff, employees, students, patients, and visitors occurring on or near campus. Intended to have broader application than a timely warning, an emergency notification includes both Clery Act crimes and

other types of emergencies, including imminent or impending threats (e.g., fire, infectious disease outbreak, etc.). Emergency events may be localized; therefore, notifications may be tailored exclusively to the segment of the campus community at risk.

Baylor University also must have emergency response and evacuation procedures in place specific to its On-Campus facilities. A summary of these procedures must be disclosed in the AFSSR. Additionally, the emergency response procedures must be tested at least once, annually. Emergency notifications are labeled and identified to the community as Baylor Alerts.

Procedures

Timely Warnings

The Baylor University Department of Public Safety (BUDPS) is responsible for confirming facts that indicate a notification is necessary. BUDPS has primary responsibility for issuing, coordinating, and determining content and methods of delivery of emergency notifications, timely warnings, and safety notifications. BUDPS may delegate certain responsibilities to or collaborate with other Baylor personnel including but not limited to: Office of General Counsel, Title IX Coordinator, Vice President for Student Life, Associate Vice President for Student Life, Director of Media Relations, and Assistant Director for Media Communications.

Emergency Notifications

Once it is confirmed there is a significant emergency or dangerous situation involving an immediate threat to the health and/or safety of some or all members of the campus community, the Chief of Police, Director of Emergency Management, or other assigned designees will initiate an emergency notification.

BUDPS without delay and considering the safety of the campus community, determines the content of the notification and initiates the notification system. The only reason the University would not immediately issue a notification for a confirmed emergency or dangerous situation would be if doing so would, in the professional judgment of the responsible authorities identified above, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. As soon as the condition necessitating the delay is no longer present, the University must issue the emergency notification to the campus community.

The Clery Compliance Office collaborates with BUDPS to ensure that as necessary, all emergency and evacuation procedures are reviewed and updated accordingly. These procedures are published in the AFSSR. In addition, the Clery Compliance Office requires and confirms the types and the times testing is done to evaluate the University's emergency and evacuation procedures.

I. Responding to Reports of Missing Students

Baylor University supports the health and safety of its students. The University has established procedures to support locating students who reside in on-campus and University-owned housing who have been determined by the University to be missing. Any member of the Baylor community who believes a student is missing must immediately notify the Baylor University Policy Department at (254)-710-2222.

Each student who resides on-campus or in University-owned housing has the option to register their confidential Missing Student contact information by logging into the Bear web link at <https://www.baylor.edu/bearweb> and by filling out the Address and Contact Information form. This information will be shared with University employees who have a legitimate educational interest

in the information and law enforcement personnel in the furtherance of a missing student investigation.

Procedures

For more information about Baylor University's Missing Student Notification policy, go to <https://risk.web.baylor.edu/public/documents/missing-persons-reporting-requirements>

J. Responding to Sex and Gender-Based Incidents

Baylor University is committed to providing a safe and non-discriminatory learning, living, and working environment for all members of the University community.

Baylor University does not discriminate on the basis of sex or gender in any of its education or employment programs and activities, and it does not tolerate discrimination or harassment on the basis of sex or gender. The University's Sexual and Gender-Based Harassment and Interpersonal Misconduct Policy (see link below) prohibits sexual and gender-based harassment, sexual assault, sexual exploitation, stalking, dating and domestic violence, and retaliation. These forms of prohibited conduct are harmful to the well-being of our community and its members, the learning and working environment, and collegial relationships among our students, faculty, and staff.

All forms of prohibited conduct may be regarded as serious University offenses, and violations may result in discipline, including potential separation from the University. Some forms of prohibited conduct may also violate state and federal laws, and criminal prosecution may occur independently of any disciplinary action imposed by the University.

The University will comply with Title IX of the Education Amendments of 1972 (Title IX), which prohibits discrimination on the basis of sex in the University's programs and activities; the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), as amended by the Violence Against Women Reauthorization Act of 2013 (VAWA); Title VII of the Civil Rights Act of 1964; Chapter 21 of the Texas Labor Code; Chapter 40, Section 819 of the Texas Administrative Code; and other applicable law.

Procedures

The Equity, Civil Rights, and Title IX Office (Equity Office) is committed to providing training opportunities for students, faculty, and staff. The Equity Office also works with other University departments, clubs, and associations to lead customized training programs. These trainings may include:

- Sexual and Interpersonal Misconduct Policy, procedures and definitions;
- Responsible employees' mandatory reporting obligations (Responding to disclosures of sexual assault, domestic violence, dating violence and/or stalking);
- Confidential resources;
- Bystander intervention;
- How to report.

The University is committed to complying with Clery Act requirements, including those added by the Violence Against Women Reauthorization Act of 2013 (VAWA), that pertain to sexual assault, domestic violence, dating violence and stalking. To promote such compliance and the safety of our community, please review the Title IX Policy, which is available at the link below:

- [Baylor University's Sexual and Interpersonal Misconduct Policy](#)
- You can also access additional information from: [Student Policies and Procedures](#)

K. Document Retention

All records pertinent to Clery compliance are retained by Baylor University for seven (7) calendar years.

Procedures

Baylor University's Clery Compliance Office annually creates a compliance file that contains that year's relevant Clery Act compliance documents and records.

L. Document Destruction

All required compliance documents are retained by Baylor University for seven (7) calendar years. Unless otherwise instructed by the Baylor Office of General Counsel, all materials are destroyed in the beginning of the eighth (8th) calendar year.

Procedures

University Compliance Services provides a written request and consults with the Office of General Counsel to destroy all materials that fit the above listed criteria.