

Clery Act Reporting For International and Off-Campus Domestic Programs: Summary and Protocol

A. BACKGROUND

The federal Clery Act requires public reporting and timely warnings about covered crimes when the College "controls" premises in international or domestic off-campus settings. If the College sends students to study abroad or to participate in any college-sponsored activity at a location that it does not own or control, the college does not have to disclose statistics for crimes that occur in those facilities.

The [Clery Handbook](#) characterizes the institution's obligations as follows:

Field trips: You are not required to include statistics for crimes that occur on field trips at locations your institution does not own or control.

Overnight, school-sponsored trips: If your institution sponsors students on an overnight trip, for example to see a play, and they rent motel rooms, you don't have to include crimes that occur in those rooms in your Clery Act statistics because the motel rooms don't meet the frequently-used-by-students criterion.

Repeated use of a location for school-sponsored trips: If your institution sponsors students on an overnight trip every year and the students stay in the same hotel each year, you must include portions of the hotel in your noncampus geography. For example, students in the debate club take a trip to Washington, D.C. and stay at the same hotel every year. You must include in your statistics any crimes that occur in the rooms used by your students and any common areas used to access the rooms (lobby, elevators, etc.) for the times and dates specified in the rental agreement. Note that what matters here is repeated use of a location that is owned or controlled by the institution, not the number of days it is used or whether it is used by the same students or different students.

Short-stay "away" trips: If your institution sponsors short-stay "away" trips of more than one night for its students, all locations used by students during the trip, controlled by the institution during the trip and used to support educational purposes, should be treated as noncampus property. An example is a three-week marine biology study trip to Florida. Any classroom or housing space specified in the agreement between the institution and a third party providing the space would be noncampus property. If your institution has entered into a written agreement with a third-party contractor to arrange housing and/or

classroom space for a school-sponsored trip or study program (either domestic or foreign), it is assumed that the contractor is operating on behalf of the school as the school's agent, putting the institution in control of this space.

However, if your institution (or a contracted third party) does not have an agreement for the space used, your institution is not in control of the space and you are not required to count it. For example, there are some situations, such as sports tournaments, for which the host institution makes all of the housing arrangements for visiting students. In these situations, the visiting institutions do not have a written agreement for the use of space and are not required to disclose crime statistics for the housing in which their students are located. However, the host institution would be responsible for disclosing crime statistics for the housing since they hold the agreement for the housing.

Study abroad programs: If your institution sends students to study abroad at a location or facility that you don't own or control, you don't have to include statistics for crimes that occur in those facilities. However, if your institution rents or leases space for your students in a hotel or student housing facility, you are in control of that space for the time period covered by your agreement. Host family situations do not normally qualify as noncampus locations unless your written agreement with the family gives your school some significant control over space in the family home.

B. GOUCHER COLLEGE PROTOCOL

1. Goucher considers that the college exercises control over a noncampus location on an overnight overseas or domestic trip (e.g., third party property, hotels and hostels) if it is used by students as follows:

Short-stay "away" trips: If Goucher sponsors short-stay "away" trips of more than one night for its students (e.g., athletic trips or field trips), all locations used by students during the trip, controlled by the institution during the trip and used to support educational purposes, will be treated as noncampus property.

Repeated Use: If Goucher sponsors students on an overnight trip of any length every year and the students stay in the same hotel each year, Goucher will include crimes that occur during the time in which the third party property is used by Goucher. Also, only crimes in the area that is actually controlled by Goucher or in areas that are necessary to access that area are reportable (e.g., specific rooms leased in a hotel and common areas that are used to access such rooms).

Study abroad programs: When Goucher rents or leases space for your students in a hotel or student housing facility, Goucher will count crimes that occur in areas under Goucher's control during that time period. Host family situations do not qualify as noncampus locations because Goucher does not enter into agreements for such space that give Goucher control over the space.

2. Whether or not a particular location or crime is reportable under Clery in no way affects the responsibility of trip leaders and those responsible for risk management or supervision to plan prudently and to advise students of potential risks. Leaders are obligated to take reasonable steps to safeguard students and to warn them of dangers in the course of the off-campus experience, and are responsible to provide for the care of any student who is the victim of a crime.
3. Trip leaders are regarded as Campus Security Authorities (CSAs) under Clery, and thus are responsible to notify the Office of International Studies and the Office of Public Safety of any crimes of which they become aware.
4. Goucher's Office of Public Safety will make a good faith attempt to query local law enforcement and Campus Security Authorities for information about crimes occurring in qualifying geographic locations during times of institutional use and/or control (as defined in section B.1). The Office of Public Safety will determine whether any incident is reportable under Clery. Trip leaders have no responsibility to interpret Clery regulations or to investigate any crime that is reported to them.
5. Program trip leaders are responsible to provide the Office of International Studies (or the department supervising domestic trips) with full address and contact information for any location where students will be living or studying (excluding home stays, unless the College has a written agreement for significant control over space in a family home) prior to leaving on the international or domestic program. OIS [or the appropriate department for domestic trips] will furnish that information to the Office of Public Safety, which will be responsible for contacting local police agencies to secure crime information about locations meeting the "control" criteria.
6. Regular training sessions for all trip leaders will be scheduled to explain their roles as CSAs and their responsibilities under the Clery Act.