

Clery Act Reporting for International and Off-Campus Domestic Programs

I. SCOPE

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:

Study abroad programs: If your institution sends students abroad to an institution that you do not own or control, you don't have to disclose statistics for crimes 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 (see the [Clery Handbook](#), pp. 30-31).

The Department of Education has provided two examples illustrating this rule.
http://www.nacua.org/documents/Clery_Campus_Safety_Survey.pdf.

- A. **The institution makes repeated use of a location.** For example, suppose students in the debate club take a trip to Washington, DC, and stay at the same hotel every year. In that case, you must include any Clery crimes reported as occurring in certain portions of the hotel in your crime statistics. In addition, as discussed on page 27 in the Handbook, you must report any crimes reported as occurring in the rooms rented to 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 an owned or controlled location**, not the number of days it is used or whether it is used by the same or different students.
- B. **The institution sponsors short stay “away” trips for its students.** Generally, a trip of short duration to a one-time-only location, such as an overnight trip to see a traveling art exhibit or an athletic event, would not meet this qualification, **but some trips of longer duration would**. An example is a **three-week art study trip** to another city for a series of art lectures and demonstrations at a museum. In the latter type of situation, any classroom or housing space specified in any written agreement entered into by the institution would be noncampus property for Clery Act reporting purposes. However, if your institution doesn't enter into an agreement for the use of a particular space or area, you are not required to include crimes in that area in your campus crime statistics. For example, an institution's art students may visit museums that are open to the public without a special agreement to use the space in the museum. There are other situations, such as sports tournaments, for

which the host institution makes all of the housing arrangements for visiting students. In these situations, the visitor 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.

II. PROCEDURES

- A. Goucher considers that the college exercises control over a noncampus location on an overnight overseas or domestic trip in the following circumstances:
- The same hotel/hostel **used regularly** (the institution has a long-term agreement with the hotel or housing company to utilize its space or has a practice of using the same hotel or housing company); or
 - It is a more extended overnight trip, and the institution makes a written agreement for the use of space to house or offer programs to students **for at least seven days**.

Only crimes that occur when Goucher uses that hotel or housing company are reportable (e.g., if Goucher hosts only a summer trip to France, a crime occurring in the winter at that location is not reportable). Also, only reportable crimes happen in the spaces controlled by Goucher or in areas necessary to access those spaces (e.g., specific rooms leased in a hotel and common areas used to access such spaces).

- B. 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 warn them of dangers during the off-campus experience. In addition, they are responsible for providing the care of any student who is the victim of a crime.
- C. Trip leaders are Campus Security Authorities (CSAs) under Clery. They are responsible for notifying the Office of Global Education and the Office of Campus Safety of any crimes they become aware of.
- D. The Office of Campus Safety determines whether an incident is reportable under Clery. Trip leaders have no responsibility to interpret Clery regulations or investigate any crime reported to them.
- E. Program trip leaders are responsible for providing the Office of Global Education (or the department supervising domestic trips) with full address and contact information for any location where students live or study before leaving on the international or domestic program (excluding homestays, unless the College has a written agreement for significant control over space in a family home.)
- The Office of Global Education (or the appropriate department for domestic trips) furnishes that information to the Office of Campus Safety, responsible for contacting local police agencies to secure crime information about locations meeting the “control” criteria.
- F. Regular training sessions for all trip leaders will explain their roles as Campus Security Authorities (CSAs) who are mandatory reporters, and their responsibilities under the Clery Act.

III. RESPONSIBLE OFFICE

Office of Campus Safety: OfficeofCampusSafety@goucher.edu

IV. HISTORY

Updated: May 2014, Aug 2018, February 2022