



Clery Act Compliance

Category: Legal/Compliance

Responsible Office: Campus Operations

Responsible Administrator: Executive Vice President and Chief Operating Officer

Date Established: 02/25/2025

Date Effective: 07/01/2025

Date Last Revised: 04/10/2025

Date Posted to Library: July 2025

POLICY SUMMARY

This policy describes the University's compliance with the Clery Act and Clery Regulations while protecting the privacy of individuals involved in the reporting, investigation, and resolution of incidents of crime.

POLICY

Policy Statement

San Francisco Bay University (SFBU) is committed to providing a safe and healthy environment for all who participate in programs and activities on campus or otherwise affiliated with the University. It is the policy of the university to comply with the Jeanne Clery Campus Safety Act 20 U.S.C. § 1092(f), as amended (the "Clery Act"), and its implementing regulations at 34 C.F.R. 668.46 (the "Clery Regulations").

In accordance with the Clery Act and Clery Regulations, the university strives to provide students, faculty, and staff with access to accurate and timely information about Clery crimes reported to have occurred in the University's Clery geography; access to university-wide security and safety policies and related local campus procedures; and a process for victims and witnesses that maintains confidentiality to the extent university policy and applicable federal, state, or local law allow. The university is committed to protecting the privacy of individuals involved in the reporting, investigation, and resolution of incidents of crime.

Applicability

All faculty, staff, and students

Procedure

Annual Requirements

- This policy requires the Safety and Emergency Administrator to perform the following on an annual basis:
 1. Identify, notify, and provide mandatory training to all Campus Security Authorities concerning their crime reporting obligations. All departments and units will cooperate in university efforts to identify Campus security Administrators.
 - i. Request and collect reports of crimes made to Campus Security Authorities and other municipal, county, and state law enforcement agencies.
 - ii. Compile statistics of reported Clery Act crimes alleged to have occurred on or in the University's Clery geography, as reported to Campus Security Authorities and other law enforcement. All departments and other units will cooperate in the University's efforts to identify Clery geography.
 2. Publish and provide access to a fire log that records all reported fires occurring in the University's university housing facilities.
 3. Report Clery Act crime statistics and fire statistics to the United States Department of Education via Institutional Research.
 4. By October of each year, or as otherwise required by law, publish the University's Annual Security and Fire Safety Report (ASFSR) pursuant to the requirements of the Clery Act. A hard copy of the ASFSR can be obtained by contacting the Safety and Emergency Administrator.
 5. By October 1st of each year, or as otherwise required by law, distribute notice of the availability of the University's ASFSR to all current and prospective students and employees.
 6. Publish and test emergency notification and evacuation procedures.
 7. Distribute emergency communications concerning certain reported emergencies, dangerous situations, or criminal incidents that pose an immediate, serious, or continuing threat to the campus community depending on the nature and location of the threat reported, and subject to certain exemptions under the Clery Act.
 8. Provide a mechanism for reporting and investigating missing students who reside in university-owned or -controlled housing facilities.
 9. Provide and track programming and education to the campus community on crime prevention and security awareness, which encourages personal responsibility for security of self and others.
 10. Retain all records related to compliance with the above requirements for a minimum of seven (7) years for Clery Act compliance purposes.

Definitions

Annual Security and Fire Safety Report

A report containing certain crime statistics for the three most recent calendar years prior to the publication of the report and campus safety information and policies concerning the University's Clery geography. The report also contains

certain fire statistics for the three (3) most recent calendar years prior to publication of the report and fire safety policies and procedures for each on-campus student housing facility.

Campus Security Authorities

SFBU personnel, including contracted security, who have responsibility for campus security, or officials who have significant responsibility for student and campus activities outside of the classroom.

Clery Geography

The University's campus; certain off-campus buildings and properties owned or controlled by the university or a registered student organization and used by students; and public property within or immediately adjacent to and accessible from campus. A listing of properties included in the University's Clery geography is maintained by Safety and Emergency Administrator.

Clery Reportable Crimes

Include the following actual or reported crimes:

- Murder/non-negligent manslaughter
- Manslaughter by negligence
- Rape
- Fondling
- Statutory rape
- Incest
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- Hazing
- Any of the above-listed crimes, and any incidents of larceny-theft, simple assault, intimidation, or destruction/damage/vandalism of property motivated by race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, or disability bias ("hate crimes")
- Domestic and Dating Violence
- Stalking
- Law violations and referrals for disciplinary action related to:
 - Liquor law violations,
 - Drug abuse violations, and
 - Illegal weapons possession, carrying, etc.

Responsibility

- This Policy requires Campus Security Authorities to perform the following on an annual basis:
 - Access and complete the mandatory training concerning their crime reporting obligations.

- o Non-compliance with training will be reported to the employee's respective Supervisor or other member of leadership for resolution. Continued non-compliance may result in corrective action and the appropriate member of the President's Cabinet will be notified.
- Designated Individuals are required to report alleged or confirmed criminal activity within 24 hours.
- All members of the University community are strongly encouraged to accurately and promptly report all criminal or suspicious activity and any potential emergencies. Information regarding reporting is as follows:
 - o An individual who experiences, witnesses, or learns of possible criminal conduct should contact law enforcement directly by calling
 - i. 911 (for emergencies) or
 - ii. Campus Security AX9
 - o Phone: (510) 737-1273
 - o Email: sec-guard@sfbu.edu

RELATED INFORMATION

The Title IX & Equity Office and the Clery Coordinator Information Sharing Protocol

CONTACT INFORMATION

Safety and Emergency Administrator
Campus-safety@sfbu.edu

REVISION HISTORY

03/31/2025 - edits submitted by the policy committee

02/25/2025 - policy put on standard template and updated

Next Review Date

June 2030

APPROVAL

05/16/2025 - Board of Trustees

04/17/2025 - President

04/10/2025 - University Policy Committee

APPENDICES

None