

Clery Act Compliance for University Sponsored Student Travel Policy

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1. Background:

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (*Clery Act*) is a federal law requiring colleges and universities participating in federal financial aid programs to maintain and disclose campus crime statistics and security information that occur within the University's Clery reportable geography. Included is the requirement to disclose, on an annual basis, crime statistics that occur during certain University sponsored/arranged domestic and international student trips. University of Tennessee at Martin (UTM) personnel who are administratively responsible for domestic and international student trips are expected to report student trip information for compliance regardless of whether any Clery Act reportable crimes occurred during the trip.

2. Purpose:

Information on Clery Act student travel is needed by the Department of Public Safety (DPS) for follow-up with the local law enforcement agency associated with the trip location. DPS will send a request to the local law enforcement agency with jurisdiction over the trip location to determine if any Clery Act qualifying crimes (occurring during the trip time frame and at the University arranged accommodation and/or related academic space) were reported directly to the local law enforcement and thus may not be known to University personnel.

3. Reportable Trips:

The Clery Act reporting requirements apply when UTM has control over the trip or program accommodations and any related academic space used in conjunction with the trip. Control, as defined by the Clery Act, means that the College directly or indirectly rents, leases or has some

other type of **written** agreement (including an informal one, such as a letter or an e-mail) for use of a building or property, or a portion of a building or property. Even if there is no payment involved in the transaction, for Clery Act purposes, a written agreement for the use of space gives the University control of that space for the time period specified in the agreement. Some examples of a written agreement include renting hotel rooms, leasing apartments, leasing space in a student housing facility or academic space on another campus and even an e-mail agreement for use of space free of charge. The controlled space must be used in direct support of, or in relation to, the institution's educational purposes and frequently used by students. Reportable trips include two categories of student travel:

- Short-stay "away" trips
- Repeated use of the same location

Note: *Day trips and student organized or private trips are not reportable.*

4. Study Abroad Taught and Housed by a Third Party or Local Institution:

If the University sends students to study abroad at a location or facility that the University does not own or control, the University does not have to include statistics for crimes that occur in those facilities. If the University rents or leases space for students in a hotel or student housing facility, the University is in control of that space for the time period covered by the agreement. For example, if there is an agreement with another institution to enroll UTM students, but not to provide specific rooms, etc., the University does not have Clery reporting requirements.

5. How to Report Student Travel:

All student University-related overnight travel must be reported via a [Clery Act Student Travel Form](#). The Clery Act Student Travel Forms should be submitted after travel is completed to ensure complete information. All Forms must be submitted within two (2) weeks of the conclusion of travel.

If you have any questions on the Clery Act or on whether your off-campus student trip or activity should be reported, please contact the Clery Compliance Officer at 881-7777.