



What is a Campus Security Authority under the Clery Act/MCCCD policy and what does it mean to be one?

First: Clery Act- what is it?

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act or [Clery Act](#) is a federal statute designed to increase transparency regarding the crime statistics of institutions of higher education.

It is codified at 20 U.S.C. §1092(f), with implementing regulations in the U.S. Code of Federal Regulations at 34 CFR 668.46. The Act was established in 1990, amended subsequently by the Higher Education Opportunity Act (HEOA) of 2008, the 2013 Violence Against Women Act (VAWA) and Campus Sexual Violence Elimination (SaVE) Act.

The Clery Act requires institutions to publish crime [statistics in an annual report](#), and to submit to the Dept. of Education (DOE) each year, in addition to other reporting and policy requirements.



One of the most notable recent developments regarding Clery was the October 2020 publication by the DOE which rescinded a prior published handbook (250+pages) on how to comply with Clery, replacing it with a [Clery Act Appendix for FSA Handbook](#) (13 pages). According to the Report of the Task Force on Federal Regulation of Higher Education, "[Recalibrating Regulation of Colleges and Universities](#)," the Clery Handbook was highlighted as an example of guidance that is "unnecessarily voluminous."

While the appendix is much smaller, there is now a void in compliance information, with many institutions still relying to a small degree on the rescinded handbook for clarity. MCCCDs Office of General Counsel, in cooperation with the Department of Public Safety (Police) will provide guidance on Clery.

Second: What is a Campus Security Authority (CSA)?

One of the more complex aspects of Clery act compliance is determining who should be a considered a Campus Security Authority.

Some individuals are obvious: campus police or security department personnel; individuals or organizations identified in institutional security policies; and individuals with security-related responsibilities.

Some CSAs are not so obvious: the statute does not define CSAs, but the list of required individuals who should be considered CSAs also includes anyone "who has significant responsibility for student and campus activities." 34 CFR 668.46(a)(iv).

In MCCCDs Clery Act: Campus Security Authority (CSA) Training, we describe the following examples:

Examples of CSAs	Examples of Non-CSAs
<ul style="list-style-type: none"> • Campus Public Safety Department staff • Faculty and staff who are student club advisors • Deans of Students • Directors/Assistant Directors of Athletics • All coaches (including volunteer coaches) • The specialized staff that work with students daily (e.g., Disability Services, Veterans Affairs, International Students, academic tutors, etc.) • Campus Counseling Department employees (counseling department staff are considered Service Faculty and, as such, are required to report incidents.) • Other faculty or staff that the campus administration designates as CSAs. 	<ul style="list-style-type: none"> • Faculty in the classroom (unless a student club/activity advisor) • Clerical staff (e.g., cashiers, bookstore employees, etc.) • Facilities staff • Foodservice staff • Athletic trainers

Therefore, for individuals outside of obvious police and security positions, the determination requires an examination of duties and student contact. CSA determination includes classified employees, non-classified employees, contractors, and volunteers.

Thankfully, the DOE has stated that it will “defer to an institution’s designation of CSAs as authoritative and provide any technical assistance necessary to work with institutions to help ensure proper identification and notification of CSAs consistent with the regulations.” With the recent change in administrations, there will likely be some adjustments regarding Clery compliance. MCCCDC’s Office of General Counsel, in cooperation with the Department of Public Safety (Police) and the Faculty Senate will be looking at reviewing how CSAs are selected at MCCCDC.

Third: At MCCCDC, what does it mean to be a CSA?

We expect our CSA’s to:

- Have a basic understanding of the federal regulations requiring the reporting
- Know how to report crimes correctly
- Know how to respond to victims

To gain this information, designated CSAs are required to complete the Clery Act: Campus Security Authority (CSA) Training.

This training outlines the various crimes that are required to be reported under Clery, the method by which crimes are reported, and the individuals tasked with Clery compliance. Additionally, this training outlines the geographic area of responsibility, and other pertinent Clery information.

Essentially, being a CSA means that you are in a position of proximity to students that is more likely to learn of a crime, either via a report to you or observation, and you have a responsibility to address this by responding appropriately, both with the individual(s) involved and with the institution for reporting.

For more information, please contact Melissa Flores at 480-731-8418 (office), 801- 557-1657 (cell) or Melissa.Flores@domail.maricopa.edu or Jason Sweat at [add phone] or Jason.Sweat@domail.maricopa.edu.



Melissa Flores

MARICOPA COMMUNITY COLLEGES

Associate General Counsel, Senior | Office of the General Counsel
2411 West 14th Street, Tempe, AZ 85281

Melissa.Flores@domail.maricopa.edu

<https://www.maricopa.edu/> | O: [480-731-8418](tel:480-731-8418) | M: [801-557-1657](tel:801-557-1657)