

How to Identify Your On-campus Geography

Under Clery, the **on-campus** category encompasses the following:

Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and

Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

The first part of this definition states that, for Clery reporting purposes, your campus includes buildings and properties that meet all of the following criteria:

- Your institution owns or controls them;
- They are reasonably contiguous to one another; and
- They directly support or relate to the institution's educational purposes.

So what does this mean?

Controlled by means that your institution rents, leases or has some other type of *written* agreement (including an informal one, such as a letter or an e-mail) for a building or property, or a portion of a building or property. Even if there is no payment involved in the transaction, under Clery, a written agreement for use of space gives your institution control of that space for the time period specified in the agreement. For example, if your campus consists of leased space comprising the entire third floor of an office building, you are in control of the third floor. A reported crime that occurs on the third floor (rooms, hallway, restrooms), or in the lobby, stairwell or

On-campus definition
citation
34 CFR 668.46(a)

elevator that students must use to access the third floor, is considered to have occurred “on campus.” If the agreement gives your institution use of the parking lot or specific spaces in the lot, the parking lot or the specified section of the lot is also part of your on-campus geography. To emphasize: Your control extends only as far as the space specified in your written agreement along with any area your students and employees have to use to access that space. So, if you lease the third floor of the building and a crime occurs on the elevator going to the third floor during the period of time covered by your lease, you must disclose a statistic for the crime. If however, the crime occurred on the second floor, you don’t have to include the crime in your Clery statistics because your institution doesn’t have control of any space on the second floor.

Note that for the purposes of *HEA*, if you have an **institution-associated foundation** that owns or controls a building or property that is operated in support of, or in relation to, your institution’s educational purposes, your institution is considered to be in control of that building or property.

Reasonably contiguous refers to a building or property your institution owns or controls that’s in a location that you and your students consider to be, and treat as, an integral part of your main or core campus; and is covered by the same security policies as your campus. An example might be a house two blocks from campus that’s owned by your institution and has been converted into an art studio for your students.

Directly support, or relate to, the institution’s educational purposes refers to the function of the building or property. For example, the dorms on your campus that house your students, support the school’s educational purposes. However, a high school that is located on your campus, but is otherwise not associated with your institution and is not used by your students or employees for any reason, does not.

The second part of the on-campus definition requires you to include buildings and properties within your campus, or reasonably contiguous to it that meet all three of the following criteria:

- Your institution owns but does not control them;
- They are frequently used by your students; and
- They are used to support the institution’s educational purposes.

Examples are a bookstore or a fast-food restaurant that lease space in your student center. Remember that these entities are considered to be part of your “on-campus” geography because you own the building, your students frequently use the space, and it supports your institution. Joe’s Fried Chicken Emporium across the street from your student center is not included in your on-campus geography even though many of your students eat there daily, because your institution does not own or control it.

Other On-campus Considerations

Listed below are examples of how to apply the “on-campus” parameters to nontraditional campuses and multiple campuses.

- **Institutions that share a campus:** If your institution shares a campus with another Title IV institution, both institutions must disclose statistics for Clery crimes that occur anywhere on the campus. The reasons for this are: (1) the *Clery Act* requires every Title IV institution to report statistics and (2) crime statistics are maintained on our public website and are retrieved for viewing by entering the name of a specific institution. Your statistics must be viewable to any interested party who searches the website’s database for your institution.
- **Institutions that lease space on another institution’s campus:** If your institution leases some buildings and property on another institution’s campus, your campus is determined by the specifics of that contract. For example, if you have sole use of a dorm, a classroom building, an administration building and a parking lot, that is your campus. If your contract also allows your students to share a dining hall with students from the host institution, that dining hall is included. If the host institution also participates in Title IV programs, both schools must include the shared dining hall in their on-campus geography.
- **Institutions that offer dual classes and degrees:** If your institution has a partnership with another institution to offer dual classes and degrees and the agreement specifies only that your students can attend classes there and that the other school’s

students can attend classes at your school, you do not have to disclose reported Clery crimes that occur on the other campus because you do not own or control it.

- **Institutions that lease space in strip malls:** Your campus consists of any space within the strip mall that is covered by your written agreement. If the lease includes use of the parking lot, or selected spaces in the lot, include the lot (or selected spaces) as part of your campus. If your students need to use stairwells or elevators or hallways to access the space your institution controls, include them as part of your campus as well. Do not include any of the strip mall's stores, restaurants, offices, etc., in your on-campus category because your institution doesn't control them.
- **Institutions located in institution-owned strip malls:** Your campus consists of any space within the strip mall that is used for the institution's educational purposes. Do not include any of the strip mall's stores, restaurants, offices, etc., in your on-campus category because your institution leases that space to private individuals and businesses, and the space isn't used for your institution's educational purposes.
- **Institutions with more than one campus:** If your institution has more than one campus, each campus must comply independently with all of the *Clery Act* and the fire- and safety-related *HEA* requirements as described in this handbook. For the purpose of these requirements, consider an additional location a **separate campus** if it meets all of the following criteria:
 - Your institution owns or controls the site;
 - It is not reasonably geographically contiguous with the main campus;
 - It has an organized program of study; and
 - There is at least one person on site acting in an administrative capacity.

Administrative personnel encompass a variety of individuals who may have some responsibility for the activities that take place at the location;

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administrative personnel, for example, include a director, a building coordinator, a registrar or a secretary. If your institution owns or controls noncontiguous academic locations where students take a course or two and there are no administrative personnel on site, those are not separate campuses. They are noncampus locations and they are discussed later in this chapter under “How to Identify Your Noncampus Buildings or Property.”

Examples of separate campuses

- **Branch:** A branch campus is always a separate campus. **Branch campus** is a specific ED designation. It is defined as *a location of an institution that is geographically apart and independent of the main campus of the institution. A location of an institution is considered independent of the main campus if the location is permanent in nature, offers courses in educational programs leading to a degree or other recognized educational credential, has its own faculty and administrative or supervisory organization, and has its own budgetary and hiring authority.*
- **School:** A school is a division of an institution that is organized to give instruction of a defined type, such as a school of business, law, medicine or nursing. A school may be, but is not always, a separate campus. For example, if your institution has a school of law that is reasonably geographically contiguous with the main campus, include it as part of your main campus. If the school of law has an organized program of study, administrative personnel on-site and is not reasonably contiguous to the main campus, treat it as a separate campus. Note that if you have a beauty school or technology school, etc., with multiple locations that each function as a main campus, each campus must comply independently with *HEA* requirements.
- **Other locations:** Other institution-owned or -controlled locations may include satellite, extension or similar types of noncontiguous

*Branch campus definition
citation*
34 CFR 600.2

sites that have an organized program of study and administrative personnel on-site.

- **Foreign locations:** A foreign location that a U.S. institution owns or controls that has an organized program of study and administrative personnel on-site is a separate campus.
- **Military bases:** If your institution has a written agreement giving it use of a defined space within the base, and the location otherwise meets the definition of a campus, it's a separate campus. If your school simply sends instructors to the base, it's not a separate campus.