

# How to Identify Your Noncampus Buildings or Property

Does your institution own or control any buildings or property located off campus, in another city or even in another country? Does it have any officially recognized student organizations? If so, you may have what Clery refers to as “noncampus buildings or property.”

The noncampus category encompasses two distinct types of buildings and property: those owned or controlled by officially recognized student organizations, and those located off campus but owned or controlled by your institution. The Clery definition of **noncampus buildings or property** is:

*Any building or property owned or controlled by a student organization that is officially recognized by the institution; or Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.*

The first part of the definition applies to any building or property that is owned or controlled by a student organization *if* the organization is “officially recognized” by your institution. If it’s owned or controlled by the student organization, it’s considered noncampus under Clery. There is one exception to this rule. If a fraternity or sorority house is located within the confines of the campus on land that is owned by the institution, the building is considered to be “on campus” even if it is owned or controlled by the fraternity or sorority.

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*Noncampus definition  
citation*  
34 CFR 668.46(a)

The second part of the definition applies to additional locations that are associated with the campus but are not separate campuses. For example, you might lease a municipal athletic field for your team's home soccer games or you might rent classroom space in a local high school two nights a week to hold creative writing classes for your students. Perhaps your institution owns an apartment building a few miles from the campus that you use for student housing. These locations are examples of what the *Clery Act* calls noncampus buildings and properties, and because your institution owns or controls them, you must disclose statistics for reported crimes that occur there. These are some of the more common types of noncampus locations, but you should include any location (except a separate campus) that:

- Is owned or controlled by the institution;
- Supports or is used for the institution's educational purposes;
- Is frequently used by students; and
- Is not considered part of the core campus.

Because an institution may rent, lease or otherwise control a location for varying amounts of time, we suggest that you give someone at your institution responsibility for monitoring the status of all buildings and properties for which you have a written agreement. If your institution rents a classroom location only for a semester, the following semester that location would no longer be included in your noncampus category. If you rent a location for classes, but later use the same rented location only as offices for your payroll personnel, and it is no longer frequently used by students, it would cease to be a noncampus location. Regardless of the time period involved (e.g., a month, a semester or an entire calendar year), you must disclose Clery crime statistics for the days and times that your institution owns or controls any buildings or property that meet the noncampus definition.

### Other Noncampus Considerations

- **Noncampus locations do not have a public property reporting requirement.** Although you must disclose Clery crime statistics for public property that is within or immediately adjacent to and accessible from your campus, you are not required to

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do so for public property within or adjacent to noncampus buildings or property.

- **There is a difference between owning and controlling a noncampus building or property.** If your institution owns a noncampus building or property you must disclose statistics for crimes that occur there at any time. If you do not own the location, under Clery you only have to disclose statistics for crimes that occur when your institution has control of the space, that is, for the dates and times specified in your lease, rental agreement or other written agreement. Additionally, if your agreement is for a section of a building or property, for example the third floor of an office building, you only have to disclose statistics for crimes that occur on the third floor, *plus* any other areas of the building that your students or employees must use to access the contracted space. So, suppose you have an agreement for the third floor of a building for Sept. 1 through Nov. 30, Monday through Thursday, 7:00 a.m. to 12:00 p.m. You must disclose statistics for Clery crimes that occur Sept. 1 through Nov. 30, Monday through Thursday, 7:00 a.m. to 12:00 p.m. on the third floor, the stairwell and elevators, the main lobby if it's used to access the stairwell and elevators, etc. If your contract includes the use of the parking lot or spaces 1 through 20 in the parking lot, include statistics for crimes that occur in the lot or in spaces 1 through 20 as well. Note that if your contract specifies 7:00 a.m. to 12:00 p.m., you must disclose statistics for that time period even if your students and employees only occupy the space for part of that time, for example, from 8:00 a.m. to 11:30 a.m.
- **Limits of control:** Suppose your institution rents one half of a building—for example, a public high school—for specific days and times. One night while one of your classes is in session, a criminal incident occurs in the part of the building not leased by your institution. You are not required to disclose the crime statistic because your institution doesn't have control over the part of the building you don't lease. This is true even if the crime involved one of your students.
- **Space versus program agreements:** Perhaps your institution sends students to an off-campus site for

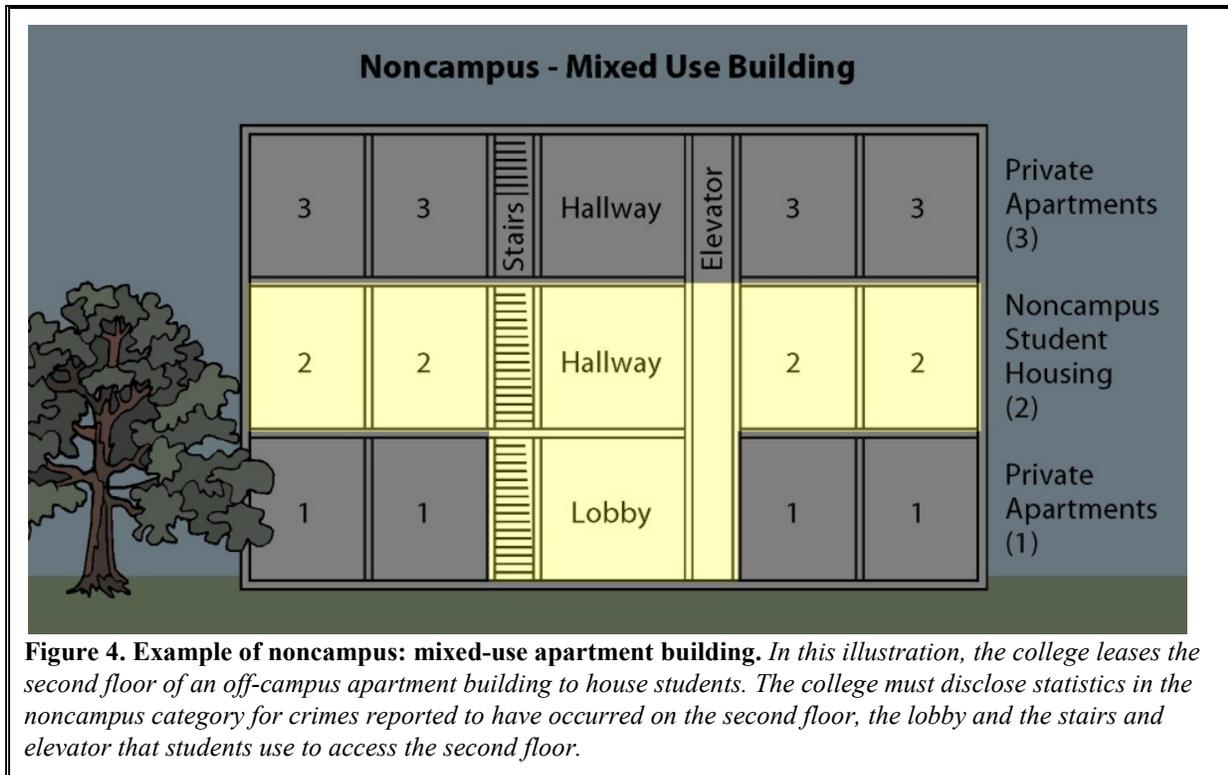
internships, externships, clinical training or student teaching. If you own or control the site or any space within the site, include the site or the specified space in your noncampus category. If you do not own or control the space, don't include it. If you have an agreement, even a written agreement, to send your students to a location for one of the aforementioned reasons, *but that written agreement is for the program rather than for use of the physical space*, you do not have control of the location and do not have to disclose statistics for crimes that occur there. For example, if you have a written agreement to send students to a privately owned hospital for clinical training, but you don't have a written agreement for use of the hospital or any space within the hospital, you do not have to disclose statistics for crimes that occur there. However, if you rent classroom space for your students within the same hospital, you are required to disclose crime statistics for that space, as well as for any other areas, such as a lobby or hallways and elevators used to access that space for the period of time specified in the agreement.

- **Corporate offices:** Include corporate offices that are owned or controlled by your institution and are not reasonably contiguous to your campus in the noncampus category if they are frequented by your students for any reason, including student jobs or internships.
- **Prisons:** If your institution sends faculty to a prison to teach, do not include the prison in your Clery disclosures as you do not own or control it.
- **Military bases:** If you have a written agreement, such as a memorandum of understanding, giving you control over some part of a military base, include the space in your noncampus category. Disclose statistics for crimes that occur in that space for the days and times specified in the agreement. If you simply send faculty to a military base, but do not have a written agreement with the base giving you control of any space there, do not include the base in your noncampus geography.
- **Third-party contracts:** If there is an apartment building across town from your campus that's owned by a third party that has a written agreement with

your institution to provide student housing, it is a noncampus location. It doesn't matter whether the rent is paid to the third party by the institution on behalf of the students or paid directly by the students.

If multiple institutions contract with the apartment building owner to provide student housing, you still must report based on your agreement. This means that if your agreement is limited to apartments on the north wing of the first floor, disclose statistics for the apartments on that wing plus any common areas, such as the laundry room and the lobby, and the hallway used to access the apartments. If your agreement doesn't specify which apartments are reserved for use by your institution's students, you must disclose statistics for the entire building except for the interior of the apartments that are used by another school's students.

- **Institution-owned apartments and management companies:** If your school owns an off-campus apartment building and puts a management company or a leasing agent in charge, but doesn't use the building for student housing, do not include the building in your noncampus category even if some of your students happen to rent apartments there. The building doesn't support the institution's educational purposes.
- **Mixed-use apartment buildings:** If your school owns or controls an off-campus apartment building and reserves certain apartments or floors of apartments for student housing, the areas used for that housing, as well as common areas and areas used to access the student housing, are included in your noncampus category. Include any unoccupied apartments that are specifically reserved for student housing. Do not include the apartments or floors of apartments that are not reserved for student housing. Do not include floors or apartments that are reserved for your faculty or staff.



**Figure 4. Example of noncampus: mixed-use apartment building.** In this illustration, the college leases the second floor of an off-campus apartment building to house students. The college must disclose statistics in the noncampus category for crimes reported to have occurred on the second floor, the lobby and the stairs and elevator that students use to access the second floor.

- **Preferred leasing:** If you steer students toward recommended off-campus housing, but the housing is not owned or controlled by your institution, you aren't required to disclose statistics for crimes that occur there.
- **Field trips:** You are not required to disclose statistics for crimes that occur on field trips at locations your institution does not own or control.
- **Overnight, school-sponsored trips:** If your institution sponsors students on an overnight trip, for example to see a play, and they rent motel rooms, you don't have to disclose crimes that occur in those rooms because they don't meet the frequently-used-by-students criterion.
- **Study abroad programs:** If your institution sends students to study abroad at an institution that you don't own or control, you don't have to disclose statistics for crimes that occur 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.

- **Research boats/ships:** If your institution owns or controls research boats or ships that carry students for educational purposes, you must disclose Clery crimes that occur on those vessels.
- **Institutions with shared campuses:** If your institution shares a campus with another institution that has noncampus buildings or property, you are not required to disclose crime statistics for those noncampus buildings or properties unless the agreement gives your institution use of them as well.
- **A noncampus location that becomes a separate campus:** It's possible for a location to be noncampus for a period of time and then become a separate campus. For example, suppose your institution rents a few rooms in a building where your students take one or two writing classes. This is a noncampus location. A year and a half later it's become a very popular location and you decide to rent additional space there and offer a certificate program in technical writing. You hire a program director and administrative assistant to work there. Now the location offers an organized program of study and has administrative personnel on-site. It's a separate campus and must comply with all of the applicable *HEA* requirements. If the situation changes and the location is once again used only for a class or two, it reverts back to being a noncampus location.