



# **REPORTED CRIMES AND ARRESTS, 1998: UNIVERSITY OF ALASKA ANCHORAGE**

## **Implementation of the Crime Awareness and Campus Security Act of 1990 Crime Reporting Provisions**

Report prepared for  
University of Alaska Anchorage

by

Cassie Atwell

Justice Center  
University of Alaska Anchorage



June 1999

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## Preface

This document presents the crimes and arrests reported to have occurred on the main campus and other educational and research sites of the University of Alaska Anchorage during 1998 and compares these statistics with the figures reported over a five-year period under the *Crime Awareness and Campus Security Act of 1990*.

The Crime Awareness and Campus Security Act of 1990 established a requirement that colleges and universities issue annual reports containing statistics on certain crimes and arrests on campuses and university property in order to enable students, employees, and others to assess public safety matters. Background materials related to the act and its implementation are contained in appendices to this document. In addition, descriptions of UAA reporting sites and facilities and associated programs are presented in Appendix D.

The Justice Center personnel responsible for the efforts which produced this report were Cassie Atwell, Jan Brewer, Melissa Green, and Antonia Moras. The Center received significant support and cooperation in the collection and analysis of data from UAA University Police Department, Anchorage Police Department, Alaska State Troopers, Cordova Police Department, Homer Police Department, Kodiak Police Department, Soldotna Police Department, Kenai Police Department and Valdez Police Department.

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# 1. Introduction

The Crime Awareness and Campus Security Act of 1990 (Pub L. 101-542; 104 Stat. 2384-2387; 20 U.S.C. 1092) (see Appendix B), hereinafter referred to as “the Act,” was written to ensure that students, employees, and visitors to institutions of higher education are aware both of the incidence of crime and of policies and procedures for preventing or reporting occurrences of crime on their campus. The Act requires postsecondary institutions, as a condition of participating in federal student aid programs, to “prepare, publish, and distribute . . . to all current students and employees, and to any applicant for enrollment or employment upon request, an annual security report” which contains this information.

The University of Alaska plan for implementation of the Act was completed by the UA Campus Crime Task Force in September 1991 (see “Final Report of UA Campus Crime Task Force,” September 13, 1991). President Jerome B. Komisar directed implementation of the Task Force’s recommendations (Appendix A), designating the Justice Center at the University of Alaska Anchorage as the unit responsible for collecting, collating and publishing the crime statistics required by the Act. The Center produced the first report, which included all University of Alaska campuses. In 1992, the University of Alaska Fairbanks elected to separately collect and publish the data from the UAF campus. The Justice Center continues to serve the University of Alaska Anchorage and University of Alaska Southeast.

Under the Act and its subsequent amendments, statistics must be compiled on the number of murders, sex offenses, robberies, aggravated assaults, burglaries, and motor vehicle thefts (see Appendix C for formal definitions of these incidents) reported on each campus of an institution of higher education. The report must include data for the most recent calendar year and the two preceding calendar years for which data are available. The Code of Federal Regulation (CFR) issued subsequent to the Act requires the campus to specify any offenses of murder, forcible rape, and aggravated assault “that manifest evidence of prejudice based on race, religion, sexual orientation, or ethnicity, as prescribed by the Hate Crimes Statistics Act.”

In addition to recording the number of offenses specified in the Act (CACSA offenses), the report must contain the specific number of arrests for liquor law violations, drug abuse violations, and weapons possession violations which occurred on campus during the same calendar years.

## Methodology

The compilation of University of Alaska Anchorage crime and arrest data is complicated by the scattered nature of university campuses and sites and the number of police agencies providing services to those sites.

Data collection is further complicated by the Act's definition of a "campus." For reporting purposes, the Act includes any building or property owned or controlled by the institution of higher education within the same reasonably contiguous area and used by the institution in direct support of, or related to, its educational purposes, or any building or property owned or controlled by student organizations recognized by the institution (Section 204). In an informal interpretation, the U.S. Department of Education (see Appendix E) advised:

For example, if an institution rents space (e.g., the fourth floor of a building) to hold classes, and is responsible for a section of the parking lot for its students' use, the fourth floor of the building and the section of parking provided to the institution's students should be considered part of the institution's campus because they are within the institution's control. If, for example, in an urban university a student is murdered while walking from one building to another, and the street on which the crime took place is publicly [*sic*] owned, the institution does not own or control that street, and, therefore, is not required to disclose the crime.

The CFR issued subsequent to the Act defines a campus as "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." This includes "any building or property owned or controlled by a student organization recognized by the institution" and "any building or property controlled by the institution, but owned by a third-party."

The CFR also requires that each "branch, school, or administrative division within an institution that is not within a reasonably contiguous geographic area with the institution's main campus is considered to be a separate campus" and shall comply separately with the reporting requirements.

In the initial year of reporting, 1991, the UA Campus Crime Task Force reviewed the University of Alaska system and identified those locations meeting the definition of campus. However, upon a more in-depth review, the Justice Center found many additional sites which met the definition, but had not come to the attention of the Task Force. Consequently, the Justice Center found it necessary to catalog and evaluate all property owned or leased by the University of Alaska, which resulted in an increase in the number of campuses beyond those identified in the Task Force report (Appendix D). The manager responsible for each site was contacted and information concerning the physical location, hours and dates of operation, and number of personnel and students employed or enrolled was collected as a basis for deciding if statistics from that location should be included in the report.

Crime and arrest reporting processes for each campus site were ascertained, and the agencies and personnel who provide police services were identified. At each site records had to be obtained from all agencies that might have received incident reports or initiated arrests on the university property.

In each of the subsequent reporting years, laws and regulations have been reviewed for changes to the Act. The U.S. Department of Education has been contacted to check for any unpublished changes. Based on these findings, appropriate changes are made and all reporting location addresses and descriptions are updated in cooperation with Facilities Planning and Construction.

With accurate reporting locations established, police service providers are identified and police departments serving UAA campuses and sites are contacted to obtain information on the required reported offenses or arrests. Additionally, site managers for each extended campus were contacted to obtain information on any incidents that may have occurred and been reported to School officials. This year, to facilitate the timely reporting of data by both the UAA and UAS site managers, a new

reporting system was implemented. The Justice Center established a reporting site on the Internet that allows individual sites to report each incident in detail. To insure security of the reporting system, UAA Computing and Technology Services (CTS) restricted access to the reporting site to those accounts using the UA system. Additionally, the web address is given only to those responsible for reporting and is not linked to any other site. Once information is received, a confirmation is sent back to the person reporting the information and to that person's supervisor thereby helping to insure that no false reports are submitted.

After all information is received, the data are processed to eliminate duplication and resolve questions regarding classification of offenses. Such resolution usually requires involvement of police officials and site managers. In some instances resolution requires verifying report numbers, dates, and locations of the reported crimes. Where both incident and summary reports were available to the Justice Center, the classification assigned by the receiving agency can usually be verified. However, if the original incident report cannot be obtained, the police or public safety uniform crime classification is accepted without reevaluation.

## **Limitations**

Despite efforts to ensure complete and reliable data, the crime statistics in this report have several shortcomings. First, the Act does not require statistics on the UCR Part I crimes of larceny-theft and arson or on any Part II crimes. While the university does assemble data on larceny-theft and arson, for reasons of economy and availability of information it does not assemble data on Part II crimes. Second, only those incidents coming to official attention are included in the report. Consequently, incidents not reported to the police or to some authority cannot be identified for this report. Third, the Uniform Crime Report categories used for classifying the statistics are not directly consistent with Alaska laws, and reported incidents must be converted from Alaska crime categories to UCR categories. If the information needed to classify an incident is incomplete, the accuracy of the classification may be inaccurate. For example, the information available on a physical altercation between two people may not have been sufficient to determine if the offense constituted simple assault, which is not included in the reported statistics, or aggravated assault, which is included. Fourth, there may be duplication because of the involvement of two or more police agencies in a single incident. Although substantial efforts have been made to eliminate errors and duplicate reporting and ensure the accuracy of data and classification of statistics, Justice Center resource constraints prevented assessment of the fundamental quality of the basic police reporting systems that produce the information on which the crime statistics are based.

Despite the effort to guarantee the completeness and accuracy of this report, the preceding discussion indicates that care should be exercised in the use of the statistics in this report.



Kachemak Bay Branch, Kenai Peninsula College, Mining & Petroleum Training Services/Life Safety Institute (Soldotna), Kodiak College, or Matanuska-Susitna College.

In addition to the offenses on which CACSA requires that data be reported, the Justice Center has been compiling data on arson and larceny/theft incidents reported from UAA sites. The larceny/theft category comprises the highest number of incidents reported on UAA property. Information concerning larceny/theft should be of value to anyone who wishes to understand the public hazards at UAA. During 1998, 162 reports of larceny/theft occurring at UAA sites were received (table 2). Of these incidents, 157 were reported to have occurred on the main (Goose Lake) campus, one at the Educational Opportunity Center, one at Prince William Sound Community College, and three at Kenai Peninsula College. None of the crimes reported for UAA campuses during 1998 involved evidence of prejudice as defined under the Hate Crimes Statistics Act (table 3).

**Table 2. Reported Larceny-Thefts at University of Alaska Anchorage (UAA) Campuses, 1994-1998**

	Reported larceny-thefts				
	94	95	96	97	98
<b>Anchorage sites</b>					
Goose Lake Campus (Main Campus)	135	172	150	143	157
Adult Learning Center		2			
Aviation Complex				1	
Center for Human Development	1				
Downtown Center	2	1			
Drug Abuse Research Field Station					
Educational Opportunity Center					1
Educational Talent Search	1				
Mining & Petroleum Training Services (MAPTS)		1			
Small Business Development Center	1		1		
Women's Gymnastic Team Program					
Other <sup>a</sup>	1				
<b>Anchorage sites subtotal</b>	<b>141</b>	<b>176</b>	<b>151</b>	<b>144</b>	<b>158</b>
<b>Other UAA sites</b>					
Copper Center: Copper Basin Center					
Cordova: Cordova Center					
Eagle River: Chugiak/Eagle River Extension					
Homer: Kachemak Bay Branch	1		1		
Iuneau: Institute of Mining Technology					
Kodiak: Kodiak College					
Palmer: Matanuska-Susitna College	1		1	3	
Soldotna: Kenai Peninsula College, Mining & Petroleum Training Services (MAPTS)	2	3		6	3
Valdez: Prince William Sound Community College		1	1		1
<b>Other sites subtotal</b>	<b>4</b>	<b>4</b>	<b>3</b>	<b>9</b>	<b>4</b>
<b>TOTAL</b>	<b>145</b>	<b>180</b>	<b>154</b>	<b>153</b>	<b>162</b>

a. North Pacific Fisheries Observer Training moved to the Downtown Center in October 1996. Prior to the move, it had one reported larceny/theft in 1994. Of other former UAA sites which have been removed from the monitoring list, none reported any larceny/thefts during 1993-1998.

Statistics compiled by the Justice Center, University of Alaska Anchorage, from police and Alaska State Troopers records.

**Table 3. University of Alaska Anchorage (UAA) Reported Hate Crimes, 1994-1998**

	Murder			Sexual offenses <sup>a</sup>			Burglary			Robbery			Aggravated assault			Motor vehicle theft			Arson			TOTAL			
	94	95	96	97	98	94	95	96	97	98	94	95	96	97	98	94	95	96	97	98	94	95	96	97	98
<b>Anchorage sites</b>																									
Goose Lake Campus (Main Campus)																									
Adult Learning Center																									
Aviation Complex																									
Center for Human Development																									
Downtown Center																									
Drug Abuse Research Field Station																									
Educational Opportunity Center																									
Educational Talent Search																									
Mining & Petroleum Training Services (MAPTS)																									
Small Business Development Center																									
Women's Gymnastic Team Program																									
Other <sup>b</sup>																									
<b>Anchorage sites subtotal</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Other UAA sites</b>																									
Copper Center: Copper Basin Center																									
Cordova: Cordova Center																									
Eagle River: Chugiak/Eagle River Extension																									
Homer: Kachemak Bay Branch																									
Kodiak: Kodiak College																									
Palmer: Matanuska-Susitna College																									
Soldotna: Kenai Peninsula College, Mining & Petroleum Training Services (MAPTS)																									
Valdez: Prince William Sound Community College																									
<b>Other sites subtotal</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

a. Reporting categories designated by the Crime Awareness and Campus Security Act of 1990, with the addition of arson.  
 b. Of former UAA sites which have been removed from the monitoring list, none reported CACSA hate crimes during 1993-1997.  
 Statistics compiled by the Justice Center, University of Alaska Anchorage, from police and Alaska State Troopers records.

**Table 4. University of Alaska Anchorage (UAA) Reported Arrests, 1994-1998<sup>a</sup>**

	Liquor law violation				Drug law violation				Weapons law violation				Minor consuming alcohol violations <sup>b</sup>				TOTAL								
	94	95	96	97	98	94	95	96	97	98	94	95	96	97	98	94	95	96	97	98	94	95	96	97	98
<b>Anchorage sites</b>																									
Goose Lake Campus (Main Campus)	33		2	11		7	1		5	7	3	1	2	1		-	17	3	14	90	40	21	4	23	109
Adult Learning Center																-	*	*	*	*	0	0	0	0	0
Aviation Complex																-	*	*	*	*	0	0	0	0	0
Center for Human Development																-	*	*	*	*	0	0	0	0	0
Downtown Center																-	*	*	*	*	0	0	0	0	0
Drug Abuse Research Field Station																-	*	*	*	*	0	0	0	0	0
Educational Opportunity Center																-	*	*	*	*	0	0	0	0	0
Educational Talent Search																-	*	*	*	*	0	0	0	0	0
Mining & Petroleum Training Services (MAPTS)																-	*	*	*	*	0	0	0	0	0
Small Business Development Center																-	*	*	*	*	-	0	0	0	0
Women's Gymnastic Team Program																-	*	*	*	*	0	0	0	0	0
Other <sup>c</sup>																-	*	*	*	*	0	0	0	0	0
<b>Anchorage sites subtotal</b>	<b>33</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>11</b>	<b>7</b>	<b>1</b>	<b>0</b>	<b>5</b>	<b>7</b>	<b>0</b>	<b>3</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>-</b>	<b>17</b>	<b>3</b>	<b>14</b>	<b>90</b>	<b>40</b>	<b>21</b>	<b>4</b>	<b>23</b>	<b>109</b>
<b>Other UAA sites</b>																									
Copper Center: Copper Basin Center																-	*	*	*	*	0	0	0	0	0
Cordova: Cordova Center																-	*	*	*	*	0	0	0	0	0
Eagle River: Chugiak/Eagle River Extension																-	*	*	*	*	0	0	0	0	0
Homer: Kachemak Bay Branch																-	*	*	*	*	0	0	0	0	0
Kodiak: Kodiak College																-	*	*	*	*	0	0	0	0	0
Palmer: Matanuska-Susitna College																-	*	*	*	*	0	0	0	0	0
Soldotna: Kenai Peninsula College, Mining & Petroleum Training Services (MAPTS)									1							-	*	*	*	*	0	0	0	1	0
Valdez: Prince William Sound Community College					1											-		4	8		0	0	0	4	9
<b>Other sites subtotal</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-</b>	<b>-</b>	<b>0</b>	<b>4</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>9</b>
<b>TOTAL</b>	<b>33</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>12</b>	<b>7</b>	<b>1</b>	<b>0</b>	<b>6</b>	<b>7</b>	<b>0</b>	<b>3</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>3</b>	<b>18</b>	<b>98</b>	<b>40</b>	<b>21</b>	<b>4</b>	<b>28</b>	<b>118</b>

\* Data for Minor Consuming Alcohol (MCA) violations are available for the Goose Lake (main) campus in Anchorage and the Prince William Sound Community College campus in Valdez only.

a. Reporting categories designated by the Crime Awareness and Campus Security Act of 1990.

b. Effective September 13, 1995, state law (AS 04.16.050) was changed, downgrading Minor Consuming Alcohol (MCA) from a misdemeanor to a violation punishable by fine only. Though not required to report violations not resulting in arrest, UAA has chosen to report MCAs voluntarily in an effort to meet the apparent intent of CACSA.

c. Of former UAA sites which have been removed from the monitoring list, none reported any CACSA arrests or MCA violations during 1993-1998.

## Reported Arrests

Table 4 contains arrest data for CACSA-mandated arrest categories. During 1998 there were twelve arrests for liquor law violations up from two in 1997 and ninety-eight citations written for Minor Consuming Alcohol, a jump from fourteen in 1997. The majority of citations occurred on the main campus in UAA Housing. Although citations are not arrests, a new category of "Minor Consuming Alcohol Citations" was added for the 1995 report to comply with the spirit of the law. This situation is attributable to a change in Alaska law that downgraded MCA from a misdemeanor to a violation, for which police issue civil citations. Consequently, arrests are no longer initiated in instances where minors are consuming alcohol. Further, except for the UAA University Police Department, the Sitka Police Department and the Valdez Police Department, police agencies serving UAA facilities have stopped maintaining statistics on citations for minor consuming alcohol. There were seven arrests initiated at UAA for violations of drug laws, up from six in 1997 and one arrest for weapons law violations down from two in 1997.

## Five-year Comparisons, 1994-1998

The total number of Part I reported offenses for which CACSA requires data has decreased since the compilation of statistics began in 1991 but has increased from totals for the last four reporting years. The increases were in the categories of sexual offenses, burglary, robbery, aggravated assault, and motor vehicle theft.

Although reported incidents (and citations) for CACSA offenses on which statistics are compiled are higher in 1998 than in 1997, there is no discernible pattern of increase or decrease for the period UAA has been compiling data.

The area that seems to reflect the most ongoing problem is larceny/theft. The number of reported incidents of larceny/theft has remained high over the last five years. Although greater numbers were reported in 1995, the total still remains high in 1998 with a total of 162. These numbers are significantly high enough to raise concern and the implications of this situation should be analyzed further.

## **Conclusions**

The University of Alaska Anchorage 1994-1998 crime statistics support a conclusion that even with the increase in total numbers for 1998, the UAA educational and research sites are relatively free from serious crime. The UAA system has had no homicides and only three reported sexual offenses (one in 1996 and two in 1998) in the five-year reporting period.

The crimes of burglary, motor vehicle theft and larceny/theft are reported more frequently than any other offenses. Although probably not as serious as person crimes, property crimes may have significant impact on victims. Such incidents may also be more preventable with crime prevention techniques than person crimes.

Caution should be used in making intercampus comparisons of the crime and arrest statistics presented in this report because of the many factors that affect comparability. For example, the statistics may be distorted by factors such as willingness of citizens to report to local authorities, recording procedures, population characteristics, number of students and persons on campus, accessibility by visitors, and security of facilities. The statistics in this report may best be used in focusing on the different existing crime hazards and on the development of crime prevention and security methods appropriate for various campuses and sites.

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# Appendices

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## A. Responsibilities of the Justice Center

*President Komisar delegated specific responsibilities to the Justice Center at UAA for implementing the Crime Awareness and Campus Security Act (CACSA) at the University of Alaska. This appendix describes those duties, and includes the full text of President Komisar's memorandum of November 11, 1991 regarding implementation of the UA Campus Crime Task Force's recommendations.*

### MEMORANDUM OF PRESIDENT JEROME B. KOMISAR

November 11, 1991

TO: Chancellor Donald F. Behrend, UAA  
Chancellor Marshall Lind, UAS  
Chancellor Joan Wadlow, UAF  
Vice President Brian Rogers  
Vice President Wendy Redman  
Vice President George Christensen  
Vice President William Kauffman

FROM: President Jerome B. Komisar

RE: **Implementation of UA Campus Crime Task Force Recommendations**

As you will recall, in its Final Report the UA Campus Crime Task Force made a series of sixteen recommendations to help the University ensure its compliance with recent federal legislation as well as to create a more safe and secure environment for our students, faculty, staff and visitors to our campuses. I am hereby accepting the task force's recommendations. I ask that each of you take the necessary and appropriate steps within your respective areas of operation to implement the following actions and practices:

1. Effective immediately the Justice Center at UAA will be responsible for collecting, collating and publishing the statistical information required by the Campus Security Act of 1990. The Justice Center shall establish appropriate procedures for collecting and publishing the relevant data on an annual basis. The Justice Center shall consult with the Alaska State Troopers and local law enforcement agencies in establishing such procedures. Publication shall be consistent with UA Campus Crime Task Force Recommendations 1, 10, 11, 12 and 13, and final publication shall be subject to the appropriate Chancellor's approval.

2. Each Chancellor will designate an appropriate staff member or members to work with the Justice Center and oversee publication of the required materials for the respective campuses within the MAU.
3. Each MAU will be responsible for the costs incurred in publishing the required information.
4. The University will seek legislative authority to establish its own qualified law enforcement department. Once a department is duly established the General Counsel's office will assist that unit in the development of mutual aid agreements with existing state and local law enforcement agencies to clarify what will be expected of each entity in emergency response situations.
5. Each MAU shall adopt, publish and enforce policies governing hours of access and issuance of keys so that building access can be more effectively controlled and monitored during hours when buildings are not open to the public.
6. Effective immediately, unless emergency circumstances require otherwise, decisions about when and how to warn the campus community about a potentially threatening situation will be made by the Chancellor of a campus in consultation with the campus security or other law enforcement officer handling the situation. Prior consultation with other appropriate University personnel, including the General Counsel, the administrator responsible for the area of operation when appropriate, and the public relations officer of the unit, is strongly encouraged whenever circumstances permit. Once the Chancellor has been advised of the situation the Chancellor may delegate responsibility for making the decision to a specified institutional officer if the Chancellor believes such delegation will be in the best interests of the campus community.
7. Whenever a decision to warn about a potentially threatening situation involves an identifiable individual some form of written follow-up will be included in the file reflecting the action taken and the basis or rationale for taking that action.
8. Institutional Family Educational Rights and Privacy Act (Buckley Amendment) policies shall be amended immediately to provide for disclosure of related campus disciplinary proceeding results to the alleged victim of a crime of violence.

The balance of the recommendations provide valuable guidance but do not require that any specific actions be taken. I hope you will each review them yourself and actively encourage your respective constituencies within the University community to follow the spirit of the task force's carefully considered recommendations.

cc: Associate General Counsel Jean S. Sagan, Chair  
UA Campus Crime Task Force Members

## UA CAMPUS CRIME TASK FORCE RECOMMENDATIONS RELEVANT TO THE JUSTICE CENTER

*Excerpted from “Final Report of UA Campus Crime Task Force,”  
September 13, 1991, pp. 15-16.*

1. Within the University of Alaska Statewide System 20 separate campuses should be identified for the reporting requirements of the Act, as listed on pages 2 and 3 of this report. . . .
10. The statistics mandated by the Act should be collected in conjunction with the Justice Center at UAA rather than through University institutional research offices. The Justice Center should not be required to divert its other programmatic funding to accomplish this new task. The Justice Center should be permitted to establish procedures which will be most efficient for its own use in collecting and publishing the necessary data; however, the Justice Center should consult with the affected agencies in the process of developing those procedures, and final publication should be subject to the local CEO’s review.
11. Campuses should consider publishing more crime and offense data than that mandated by the Act, in a format similar to that illustrated by Exhibit E.
12. Crime statistics should not be published without some type of educational and explanatory statement accompanying the raw data.
13. The Justice Center, in consultation with the contributing agencies, should be permitted to establish for itself procedures which will most efficiently fulfill its needs in collecting statistics concerning arrests involving drug, alcohol and weapons violations. All collecting agencies should also be encouraged to upgrade their databases to more effectively isolate this information as soon as possible.

## UA CAMPUS CRIME TASK FORCE IDENTIFICATION OF UNIVERSITY OF ALASKA CAMPUSES FOR PURPOSES OF CACSA REPORTING

*Excerpted from “Final Report of UA Campus Crime Task Force,”  
September 13, 1991, pp. 2-3.*

The Act defines “campus” to include “(i) any building or property owned or controlled by the institution of higher education within the same reasonably contiguous geographic area and used by the institution in direct support of, or related to its [sic] educational purposes; or (ii) any building or property owned or controlled by the student organizations recognized by the institution” (Section 204(a)). The second component of this definition is believed to apply to fraternities, sororities, and other similar student organizations. As the University of Alaska has no such recognized student organizations, it was the group’s consensus that this portion of the definition is inapplicable to the University of Alaska. Focusing on the first subsection of the definition, the task force determined that the operative phrases were “owned or controlled by,” and “within the same reasonably contiguous

geographic area.” Thus, for purposes of compliance with the Act, the University of Alaska is comprised of 20 separate campus which are as follows:

UAS: Auke Lake

Juneau sites not on the central campus (Bill Ray Center, Marine Technology Center)

Sitka

Ketchikan

UAA: Anchorage main campus

Anchorage sites not on the central campus (Chugiak/Eagle River Extension, Aviation Complex, Adult Learning Center, and Downtown Center)

Kenai Peninsula College (Soldotna)

Kachemak Bay Branch (Homer)

Matanuska-Susitna College (Palmer/Wasilla)

Prince William Sound Community College (Valdez)

Copper Basin Center (Copper Center)

Cordova Center

Kodiak College

UAF: Fairbanks main campus

Fairbanks sites not on the central campus (School of Career and Continuing Education, Downtown Center)

Northwest Campus (Nome)

Bristol Bay Campus (Dillingham)

Kuskokwim Campus (Bethel)

Chukchi Campus (Kotzebue)

Seward Building

This list excludes all sites on military installations and all sites where the University uses school district or similar space as those areas are neither owned nor controlled by the University of Alaska. It separates the UAA, UAF and UAS main campuses from other facilities in the same community because of the varying sources of data and police coverage discussed in greater detail below. There was a minority opinion that it was not necessary to separate the main campuses in Anchorage, Fairbanks and Juneau from other local facilities, and that the total number of campuses would therefore be 17 rather than 20. . . .

## B. Crime Awareness and Campus Security Act of 1990

*Pub.L. 101-542 (Nov. 8, 1990), Title II (104 Stat. 2384-2387; 20 USC 1092)  
as amended by Pub.L. 102-26 (Apr. 9, 1991) (105 Stat. 128)  
and Pub.L. 102-325 (July 23, 1992) (106 Stat. 620, 621).*

*References to “the Act” are to the Higher Education Act (HEA) of 1965, as amended.*

### **(f) Disclosure of campus security policy and campus crime statistics**

(1) Each eligible institution participating in any program under this subchapter and part C of subchapter I of chapter 34 of Title 42 shall on August 1, 1991, begin to collect the following information with respect to campus crime statistics and campus security policies of that institution, and beginning September 1, 1992, and each year thereafter, prepare, publish, and distribute, through appropriate publications or mailings, to all current students and employees, and to any applicant for enrollment or employment upon request, an annual security report containing at least the following information with respect to the campus security policies and campus crime statistics of that institution:

(A) A statement of current campus policies regarding procedures and facilities for students and others to report criminal actions or other emergencies occurring on campus and policies concerning the institution’s response to such reports.

(B) A statement of current policies concerning security and access to campus facilities, including campus residences, and security considerations used in the maintenance of campus facilities.

(C) A statement of current policies concerning campus law enforcement, including—

(i) the enforcement authority of security personnel, including their working relationship with State and local police agencies; and

(ii) policies which encourage accurate and prompt reporting of all crimes to the campus police and the appropriate police agencies.

(D) A description of the type and frequency of programs designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others.

(E) A description of programs designed to inform students and employees about the prevention of crimes.

(F) Statistics concerning the occurrence on campus, during the most recent calendar year, and during the 2 preceding calendar years for which data are available, of the following criminal offenses reported to campus security authorities or local police agencies—

(i) murder;

(ii) sex offenses, forcible or nonforcible;

- (iii) robbery;
- (iv) aggravated assault;
- (v) burglary; and
- (vi) motor vehicle theft.

(G) A statement of policy concerning the monitoring and recording through local police agencies of criminal activity at off-campus student organizations which are recognized by the institution and that are engaged in by students attending the institution, including those student organizations with off-campus housing facilities.

(H) Statistics concerning the number of arrests for the following crimes occurring on campus:

- (i) liquor law violations;
- (ii) drug abuse violations; and
- (iii) weapons possessions.

(I) A statement of policy regarding the possession, use, and sale of alcoholic beverages and enforcement of State underage drinking laws and a statement of policy regarding the possession, use, and sale of illegal drugs and enforcement of Federal and State drug laws and a description of any drug or alcohol abuse education programs as required under section 1145g of this title.

(2) Nothing in this subsection shall be construed to authorize the Secretary to require particular policies, procedures, or practices by institutions of higher education with respect to campus crimes or campus security.

(3) Each institution participating in any program under this subchapter and part C of subchapter I of chapter 34 of Title 42 shall make timely reports to the campus community on crimes considered to be a threat to other students and employees described in paragraph (1)(F) that are reported to campus security or local law police agencies. Such reports shall be provided to students and employees in a manner that is timely and that will aid in the prevention of similar occurrences.

(4) Upon the request of the Secretary, each institution participating in any program under this subchapter and part C of subchapter I of chapter 34 of Title 42 shall submit to the Secretary a copy of the statistics required to be made available under paragraphs (1)(F) and (1)(H). The Secretary shall—

(A) review such statistics and report to the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate on campus crime statistics by September 1, 1995; and

(B) in coordination with representatives of institutions of higher education, identify exemplary campus security policies, procedures, and practices and disseminate information concerning those policies, procedures, and practices that have proven effective in the reduction of campus crime.

(5)(A) For purposes of this subsection, the term “campus” includes—

(i) any building or property owned or controlled by the institution of higher education within the same reasonably contiguous geographic area and used by the institution in direct support of, or related to its educational purposes; or

(ii) any building or property owned or controlled by student organizations recognized by the institution.

(B) In cases where branch campuses of an institution of higher education, schools within an institution of higher education, or administrative divisions within an institution are not within a reasonably contiguous geographic area, such entities shall be considered separate

campuses for purposes of the reporting requirements of this section.

(6) The statistics described in paragraphs (1)(F) and (1)(H) shall be compiled in accordance with the definitions used in the uniform crime reporting system of the Department of Justice, Federal Bureau of Investigation, and the modifications in such definitions as implemented pursuant to the Hate Crime Statistics Act.

(7) (A) Each institution of higher education participating in any program under this subchapter and part C of subchapter I of chapter 34 of Title 42 shall develop and distribute as part of the report described in paragraph (1) a statement of policy regarding—

(i) such institution's campus sexual assault programs, which shall be aimed at prevention of sex offenses; and

(ii) the procedures followed once a sex offense has occurred.

(B) The policy described in subparagraph (A) shall address the following areas:

(i) Education programs to promote the awareness of rape, acquaintance rape, and other sex offenses.

(ii) Possible sanctions to be imposed following the final determination of an on-campus disciplinary procedure regarding rape, acquaintance rape, or other sex offenses, forcible or nonforcible.

(iii) Procedures students should follow if a sex offense occurs, including who should be contacted, the importance of preserving evidence as may be necessary to the proof of criminal sexual assault, and to whom the alleged offense should be reported.

(iv) Procedures for on-campus disciplinary action in cases of alleged sexual assault, which shall include a clear statement that—

(I) the accuser and the accused are entitled to the same opportunities to have others present during a campus disciplinary proceeding; and

(II) both the accuser and the accused shall be informed of the outcome of any campus disciplinary proceeding brought alleging a sexual assault.

(v) Informing students of their options to notify proper law enforcement authorities, including on-campus and local police, and the option to be assisted by campus authorities in notifying such authorities, if the student so chooses.

(vi) Notification of students of existing counseling, mental health or student services for victims of sexual assault, both on campus and in the community.

(vii) Notification of students of options for, and available assistance in, changing academic and living situations after an alleged sexual assault incident, if so requested by the victim and if such changes are reasonably available.

(C) Nothing in this paragraph shall be construed to confer a private right of action upon any person to enforce the provisions of this paragraph.

(3) Disclosure of information to students and public

An institution of higher education described in paragraph (1) shall make available to students and potential students, upon request, and to the public, the information contained in the report described in paragraph (1), except that all students shall be informed of their right to request such information. . . .

(5) Regulations and effective date

The Secretary shall issue final regulations to implement the requirements of this subsection not later than 180 days following the enactment of this subsection. Each institution described in paragraph (1) shall make available its first report pursuant to this section not later than October 1, 1996.

## HISTORICAL AND STATUTORY NOTES

*Relevant portions excerpted from 20 USCA 1092.*

### References in Text

The Hate Crime Statistics Act, referred to in subsec. (f)(6), is Pub.L. 101-275, Apr. 23, 1990, 104 Stat. 140, which is set out as a note under section 534 of Title 28, Judiciary and Judicial Procedure.

### Amendments

Subsec. (f)(1)(F)(ii). Pub.L. 102-325, § 486(c)(1), substituted “sex offenses; forcible or nonforcible;” for “rape;”.

Subsec. (f)(7). Pub.L. 102-325, § 486(c)(2), added par. (7).

Subsec. (f)(1). Pub.L. 102-26, § 10(d), substituted “August 1, 1991” for “September 1, 1991” in the provisions preceding subpar. (A) and in subpar. (F) substituted “calendar year” and “calendar years” for “school year” and “school years”, respectively.

Subsec. (f). Pub.L. 101-542, § 204(a), added subsec. (f).

### Effective Dates

1992 Acts. Section 486(c)(3) of Pub.L. 102-325 provided that:

“The amendment made by this subsection to subparagraph (F)(ii) of section 485(f)(1) of the Act [subsec. (f)(1)(F)(ii) of this section] shall be effective with respect to reports made pursuant to such section on or after September 1, 1993. The statistics required by subparagraph (F) of such section shall—

“(A) in the report required on September 1, 1992, include statistics concerning the occurrence on campus of offenses during the period from August 1, 1991, to July 31, 1992;

“(B) in the report required on September 1, 1993, include statistics concerning the occurrence on campus of offenses during (i) the period from August 1, 1991, to December 31, 1991, and (ii) the calendar year 1992;

“(C) in the report required on September 1, 1994, include statistics concerning the occurrence on campus of offenses during (i) the period from August 1, 1991, to December 31, 1991, and (ii) the calendar years 1992 and 1993; and

“(D) in the report required on September 1 of 1995 and each succeeding year, include statistics concerning the occurrence on campus of offenses during the three calendar years preceding the year in which the report is made.”

Section 204(c) of Pub. L. 101-542, provided that:

“The amendments made by this section [enacting subsec. (f) of this section] shall take effect on September 1, 1991, except that the requirement of section 485(f)(1)(F) and (H) of the Higher Education Act of 1965 [subsec. (f)(1)(F) and (H) of this section] (as added by this section) shall be applied to require statistics with respect to school years preceding the date of enactment of this Act [Nov. 8, 1990] only to the extent that data concerning such years is reasonably available.”

### Conforming Regulations for Pub.L. 101-542

Section 401(a) of Pub.L. 101-542, provided that:

“The Secretary is authorized to issue regulations to carry out the provisions of this Act [Pub.L. 101-542, for distribution of which see Short Title Note set out under section 1001 of this title].”

Section 202 of Pub.L. 101-542, provided that:

“The Congress finds that—

“(1) the reported incidence of crime, particularly violent crime, on some college campuses has steadily risen in recent years;

“(2) although annual ‘National Campus Violence Surveys’ indicate that roughly 80 percent of campus crimes are committed by a student upon another student and that approximately 95 percent of the campus crimes that are violent are alcohol- or drug-related, there are currently no comprehensive data on campus crimes;

“(3) out of 8,000 postsecondary institutions participating in Federal student aid programs, only 352 colleges and universities voluntarily provide crime statistics directly through the Uniform Crime Report of the Federal Bureau of Investigation, and other institutions report data indirectly, through local police agencies or States, in a manner that does not permit campus statistics to be separated;

“(4) several State legislatures have adopted or are considering legislation to require reporting of campus crime statistics and dissemination of security practices and procedures, but the bills are not uniform in their requirements and standards;

“(5) students and employees of institutions of higher education should be aware of the incidence of crime on campus and policies and procedures to prevent crime or to report occurrences of crime;

“(6) applicants for enrollment at a college or university, and their parents, should have access to information about the crime statistics of that institution and its security policies and procedures; and

“(7) while many institutions have established crime preventive measures to increase the safety of campuses, there is a clear need—

“(A) to encourage the development on all campuses of security policies and procedures;

“(B) for uniformity and consistency in the reporting of crimes on campus; and

“(C) to encourage the development of policies and procedures to address sexual assaults and racial violence on college campuses.”

## C. Regulations for Implementation of the Crime Awareness and Campus Security Act of 1990

34 C.F.R. § 668.47

*References to “the HEA” are to the Higher Education Act of 1965, as amended. References to “the Secretary” are to the Secretary of Education.*

*Code of Federal Regulations  
Title 34—Education*

*Subtitle B—Regulations of the Offices of the Department of Education  
Chapter VI—Office of Postsecondary Education, Department of Education  
Part 668—Student Assistance General Provisions  
Subpart D—Student Consumer Information Services*

### **§ 668.47 Institutional security policies and crime statistics.**

(a) An institution shall, by September 1, 1992, and by September 1 of each year thereafter, publish and distribute, through appropriate publications and mailings, an annual security report that contains, at a minimum, the following information:

(1) A statement of current campus policies regarding procedures and facilities for students and others to report criminal actions or other emergencies occurring on campus and policies concerning the institution’s response to those reports, including policies for making timely reports to members of the campus community regarding the occurrence of crimes described in paragraph (a)(6) of this section. This statement shall include a list of the titles of each person or organization to whom students and employees should report the criminal offenses described in paragraph (a)(6) for the purpose of making timely reports.

(2) A statement of current policies concerning security of and access to campus facilities, including campus residences, and security considerations used in the maintenance of campus facilities.

(3) A statement of current policies concerning campus law enforcement, including—

(i) The enforcement authority of security personnel, including their working relationship with State and local police agencies and whether those security personnel have the authority to arrest individuals; and

(ii) Policies that encourage accurate and prompt reporting of all crimes to the campus police and the appropriate police agencies.

(4) A description of the type and frequency of programs designed to inform students and

employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others.

(5) A description of programs designed to inform students and employees about the prevention of crimes.

(6)(i) Statistics concerning the occurrence on campus of the following criminal offenses reported to local police agencies and to any official of the institution who has significant responsibility for student and campus activities:

(A) Murder.

(B) Rape (prior to August 1, 1992) or sex offenses, forcible or nonforcible (on or after August 1, 1992).

(C) Robbery.

(D) Aggravated assault.

(E) Burglary.

(F) Motor-vehicle theft; and

(ii) Statistics concerning the criminal offenses of murder, forcible rape, and aggravated assault, as listed in paragraph (a)(6)(i) of this section, that manifest evidence of prejudice based on race, religion, sexual orientation, or ethnicity, as prescribed by the Hate Crimes Statistics Act (28 U.S.C. 534).

(7) A statement of policy concerning the monitoring and recording through local police agencies of criminal activity in which students engaged at off-campus locations of student organizations recognized by the institution, including student organizations with off-campus housing facilities.

(8) Statistics concerning the number of arrests for the following crimes occurring on campus:

(i) Liquor-law violations.

(ii) Drug-abuse violations.

(iii) Weapons possessions.

(9) A statement of policy regarding the possession, use, and sale of alcoholic beverages and enforcement of State underage drinking laws.

(10) A statement of policy regarding the possession, use and sale of illegal drugs and enforcement of Federal and State drug laws.

(11) A description of any drug or alcohol-abuse education programs, as required under section 1213 of the HEA. For the purpose of meeting this requirement, an institution may cross-reference the materials the institution uses to comply with section 1213 of the HEA.

(12) A statement of policy regarding the institution's campus sexual assault programs to prevent sex offenses, and procedures to follow when a sex offense occurs. The statement must include—

(i) A description of educational programs to promote the awareness of rape, acquaintance rape, and other forcible and nonforcible sex offenses;

(ii) Procedures students should follow if a sex offense occurs, including procedures concerning who should be contacted, the importance of preserving evidence for the proof of a criminal offense, and to whom the alleged offense should be reported;

(iii) Information on a student's option to notify proper law enforcement authorities, including on-campus and local police, and a statement that institutional personnel will assist the student in notifying these authorities, if the student requests the assistance of these personnel;

(iv) Notification to students of existing on- and off-campus counseling, mental health, or other student services for victims of sex offenses;

(v) Notification to students that the institution will change a victim's academic and living situations after an alleged sex offense and of the options for those changes, if those changes are requested by the victim and are reasonably available;

(vi) Procedures for campus disciplinary action in cases of an alleged sex offense, including a

clear statement that—

(A) The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding; and

(B) Both the accuser and the accused shall be informed of the outcome of any institutional disciplinary proceeding brought alleging a sex offense. Compliance with this subsection does not constitute a violation of the Family Educational Rights and Privacy Act (20 U.S.C. 1232g). For the purpose of this paragraph, the outcome of a disciplinary proceeding means only the institution's final determination with respect to the alleged sex offense and any sanction that is imposed against the accused; and

(vii) Sanctions the institution may impose following a final determination of an institutional disciplinary proceeding regarding rape, acquaintance rape, or other forcible or nonforcible sex offenses.

(b) An institution shall distribute the security report required by paragraph (a) of this section annually to all—

(1) Current and prospective students and employees by appropriate publication and mailings, through—

(i) Direct mailing to each individual through the U.S. Postal Service, campus mail, or computer network; or

(ii) Publications provided directly to each individual; and

(2) Prospective students as defined in § 668.41(b) and prospective employees as defined in paragraph (f) of this section, upon request, provided that such individuals are informed of the availability of the security report, given a summary of its contents, and given the opportunity to request a copy.

(c) An institution shall comply separately with the requirements of this section for each campus. A branch, school, or administrative division within an institution that is not within a reasonably contiguous geographic area with the institution's main campus is considered to be a separate campus.

(d)(1)(i) An institution's first annual security report (due September 1, 1992) must contain the statistics described in paragraph (a)(6) of this section covering the period January 1, 1991, through December 31, 1991, and the two preceding calendar years, or the portion thereof for which data are reasonably available. The first annual security report must contain those statistics covering at least the period from August 1, 1991, through July 31, 1992.

(ii) An institution's second and third annual security reports (due September 1, 1993 and September 1, 1994, respectively) must contain the statistics described in paragraph (a)(6) of this section covering the most recent calendar year and the two preceding calendar years, or the portion thereof for which data are reasonably available. The second annual security report must contain those statistics covering at least the period from August 1, 1991, through December 31, 1991, and calendar year 1992. The third annual security report must contain those statistics covering at least the period from August 1, 1991, through December 31, 1991, and calendar years 1992 and 1993.

(iii) An institution's annual security report due September 1, 1995, and each subsequent report, must contain the statistics described in paragraph (a)(6) of this section covering the three calendar years preceding the year in which the report is disclosed.

(iv) In each annual security report due on or after September 1, 1993, September 1, 1994, September 1, 1995, an institution must, in accordance with paragraphs (d)(1) (ii) and (iii) of this section, report statistics covering rape for periods of time prior to August 1, 1992, and statistics concerning sex offenses, forcible or nonforcible, for periods of time on or after August 1, 1992.

(v) In all subsequent annual security reports, an institution shall report statistics for sex offenses, forcible and nonforcible.

(2)(i) An institution's first annual security report (due September 1, 1992) must contain the

statistics described in paragraph (a)(8) of this section covering the period January 1, 1991, through December 31, 1991, or the portion thereof for which those statistics are available. The first annual security report must contain that data covering at least the period August 1, 1991, through December 31, 1991.

(ii) An institution's second annual security report (due September 1, 1993) and each subsequent report must contain the statistics described in paragraph (a)(8) of this section, covering the calendar year preceding the year during which the report is to be disclosed.

(3) An institution shall compile crime statistics required under paragraph (a) (6) and (8) of this section in accordance with the definitions used in the Federal Bureau of Investigation's Uniform Crime Reporting Program as provided in Appendix E to this part.

(4) Upon the request of the Secretary, an institution must submit to the Secretary the statistics required by paragraphs (a)(6) and (a)(8) of this section.

(e) An institution shall, in a manner that is timely and will aid in the prevention of similar crimes, report to the campus community on crimes that are—

(1) Described in paragraph (a)(6) of this section;

(2) Reported to campus security authorities as identified under the institution's statement of current campus policies pursuant to paragraph (a)(1) of this section or local police agencies; and

(3) Considered by the institution to represent a threat to students and employees.

(f) The following definitions apply to this section:

**Campus:** (1) 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.

(2) Any building or property owned or controlled by a student organization recognized by the institution.

(3) Any building or property controlled by the institution, but owned by a third-party.

**Campus security authority:** (1) A campus law enforcement unit.

(2) An individual or organization specified in an institution's statement of campus security policy as the individual or organization to whom students and employees should report criminal offenses.

(3) An official of an institution who has significant responsibility for student and campus activities, but does not have significant counseling responsibilities. **Prospective employee:** An individual who has contacted an institution participating in any Title IV, HEA program for the purpose of requesting information concerning employment with the institution.

*(Approved by the Office of Management and Budget under control number 1840-0537)*

*(Authority: 20 U.S.C. 534, 1092, and 1232g)*

*[59 FR 22318, April 29, 1994, as amended at 60 FR 34431, June 30, 1995]*

#### **Part 668—Student Assistance General Provisions**

*Authority: 20 U.S.C. 1085, 1088, 1091, 1092, 1094, 1099c, and 1141, unless otherwise noted.*

*Source: 45 FR 86855, Dec. 31, 1980; 50 FR 26953, June 28, 1985; 51 FR 8948, March 14, 1986; 51 FR 29398, Aug. 15, 1986; 56 FR 61337, Dec. 2, 1991; 59 FR 21866, April 26, 1994; 59 FR 22318, 22418, April 29, 1994, unless otherwise noted.*

#### **Subpart D—Student Consumer Information Services**

*Source: 51 FR 43323, Dec. 1, 1986, unless otherwise noted.*

**APPENDIX E TO PART 668: CRIME DEFINITIONS  
IN ACCORDANCE WITH THE FEDERAL BUREAU OF INVESTIGATION'S  
UNIFORM CRIME REPORTING PROGRAM**

The following definitions are to be used for reporting the crimes listed in § 668.47, in accordance with the Federal Bureau of Investigation's Uniform Crime Reporting Program. The definitions for murder, robbery, aggravated assault, burglary, motor vehicle theft, weapon law violations, drug abuse violations and liquor law violations are excerpted from the Uniform Crime Reporting Handbook.

The definitions of forcible and nonforcible sex offenses are excerpted from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Handbook.

**Crime Definitions From the Uniform Crime Reporting Handbook**

*Murder*

The willful (nonnegligent) killing of one human being by another.

*Robbery*

The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

*Aggravated Assault*

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

*Burglary*

The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

*Motor Vehicle Theft*

The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned—including joyriding.)

*Weapon Law Violations*

The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or

openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

#### *Drug Abuse Violations*

Violations of State and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (demerol, methadones); and dangerous nonnarcotic drugs (barbiturates, benzedrine).

#### *Liquor Law Violations*

The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

### **Sex Offenses Definitions From the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program**

#### *Sex Offenses—Forcible*

Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

A. *Forcible Rape*—The carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).

B. *Forcible Sodomy*—Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

C. *Sexual Assault With An Object*—The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

D. *Forcible Fondling*—The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

#### *Sex Offenses—Nonforcible*

Unlawful, nonforcible sexual intercourse.

A. *Incest*—Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

B. *Statutory Rape*—Nonforcible sexual intercourse with a person who is under the statutory age of consent.

[59 FR 22320, April 29, 1994]

**Part 668—Student Assistance General Provisions**

*Authority:* 20 U.S.C. 1085, 1088, 1091, 1092, 1094, 1099c, and 1141, unless otherwise noted.

*Source:* 45 FR 86855, Dec. 31, 1980; 50 FR 26953, June 28, 1985; 51 FR 8948, March 14, 1986; 51 FR 29398, Aug. 15, 1986; 56 FR 61337, Dec. 2, 1991; 59 FR 21866, April 26, 1994; 59 FR 22318, 22418, April 29, 1994, unless otherwise noted.

## D. Site Descriptions

*This appendix includes descriptions of all University of Alaska Anchorage educational and research sites which fulfill the definition of “campus” under the Crime Awareness and Campus Security Act of 1990, and for which crime and arrest statistics for 1994 were compiled. The descriptions are arranged by city.*

### ANCHORAGE

#### **UAA Goose Lake Campus (Main Campus)**

3211 Providence Drive

*Contact:* Robert Bachand  
Director, Department of Public Safety, UAA  
3211 Providence Drive ESB 114  
Anchorage, AK 99508  
(907) 786-1120; FAX (907) 786-6111

*Law enforcement contact:* Anchorage Police Department; UAA Department of Public Safety

The University of Alaska Anchorage campus is in the eastern midtown section of Anchorage. The campus contains 343.3 acres, with 39 buildings. The campus has designated permit parking and free parking areas.

The campus is open Monday through Friday from 7:00 AM to 11:00 PM and on the weekend for limited hours. The campus houses the administration, classes/labs, sports center and limited student housing. Approximately 18,000 students attend classes at the campus and various off-campus sites.

The contact person for the Crime Awareness and Campus Security Act for the campus is Larry Kingry, Vice Chancellor for Student Services. The campus is secured by the University Police Department. The Chief of Police is Robert Bachand.

The Goose Lake campus includes the following buildings:

_____	Administration Utility Building
3605 Providence Drive	Administration Building
2525 Providence Drive	Allied Health Science Building
2801 Providence Drive	Arcade & Bridge Lounge

3701 Providence Drive	Arts Building
3211 Providence Drive	Arts & Sciences Building (CAS)
2533 Providence Drive	Auto/Diesel Technology Center (“J”)
2533 Providence Drive	Beatrice G. McDonald Building (“C”)
2905 Providence Drive	Bookstore
2643 Providence Drive	Business Education Building
	Campus Storage Building
	Campus Center
2801 Providence Drive	Consortium Library
3211 Providence Drive	Energy Module No. 1
2801 Providence Drive	Energy Module No. 2
3211 Providence Drive	Engineering Building
3210 UAA Drive	Eugene F. Short Building (“A”)
2533 Providence Drive	Gordon W. Hartlieb Building (“D” and “E”)
2533 Providence Drive	Greenhouse
	Grounds Office Building
	Lucy Cuddy Center (“F”)
	Sally Monserud Building (“B”)
	Science Building
	Sports Center
	Student Housing Unit No. 1
	Student Housing Unit No. 2
	Student Housing Unit No. 3
	Student Housing Unit No. 4
	Student Housing Unit No. 5
	Student Housing Unit No. 6
	Templewood Building “A”
	Templewood Building “B”
	Templewood Building “C”
	Templewood Building “D”
	Templewood Building “E”
	Templewood Building “F”
	University Lake Building
	Building K
	Wendy Williamson Auditorium
2533 Providence Drive	
2533 Providence Drive	
3241 Providence Drive	
2801 Providence Drive	
3550 Sharon Gagnon Lane	
3530 Sharon Gagnon Lane	
3540 Sharon Gagnon Lane	
3620 Sharon Gagnon Lane	
3610 Sharon Gagnon Lane	
3640 Sharon Gagnon Lane	
4000 Bragaw Street	
4000 Bragaw Street	
4000 Bragaw Street	
4000 Bragaw Street	
4000 Bragaw Street	
4000 Bragaw Street	
3890 University Lake Dr	
2533 Providence Drive	
2533 Providence Drive	

### **Adult Learning Center**

3401 Minnesota Drive

*Contact:* Heather Flynn  
 Coordinator, Adult Learning Center  
 3401 Minnesota Drive  
 Anchorage, AK 99503  
 (907) 276-6007; FAX (907) 279-0029

*Local law enforcement contact:* Anchorage Police Department

The Adult Learning Center is currently leasing space in a building in midtown Anchorage. The building has an adjacent parking lot designated for general use. The program’s main purpose is adult education. Students can obtain basic skills training, a GED, a University of Alaska High School Diploma and other types of training.

The building is used from 7:00 AM to 10:00 PM year-round. There are no evening classes on Friday, and Saturdays are reserved for giving tests. There are about 15 employees. About 1,300 full time students attend classes (open entry classes).

Heather Flynn is the coordinator. For any criminal incident Anchorage Police Department would be called.

### **Aviation Complex**

2811 Merrill Field (Aviation Complex)

*Contact:* Dane Hackley  
Coordinator, Aviation Maintenance Technology Dept.  
2811 Merrill Field Drive  
Anchorage, AK 99501  
(907) 264-7400; FAX (907) 264-7444

*Local law enforcement contact:* Anchorage Police Department; UAA Department of Public Safety

The Aviation Complex is in the east downtown area of Anchorage, within the boundaries of Merrill Field Airport. This 48,620 sq. ft. building is owned by UAA and is approximately 1-1/2 miles north of the main Anchorage campus. There is a designated university use parking lot adjacent to the building, accommodating approximately 60 cars. The building is equipped with an alarm system.

The offices and classrooms are open 8:00 AM to 10:00 PM, Monday through Friday, year-round. The building houses three classrooms, offices and voc-tech labs, all used to support the aviation maintenance program. There are six full-time faculty, six adjunct faculty and nine classified employees. About 100 students attend classes.

Dane Hackley is the department chair. For any criminal incident Anchorage Police Department would be called and the UAA Public Safety Department notified.

### **Center for Human Development**

2330 Nichols Street (ASETS Building)

*Contact:* Miriam Engebretson  
Administrative Manager  
2330 Nichols St.  
Anchorage, AK 99508  
(907) 272-8270; FAX (907) 274-4802

*Local law enforcement contact:* Anchorage Police Department; UAA Department of Public Safety

The Center for Human Development: University Affiliated Program for Developmental Disabilities, is housed in a leased office in the ASETS Building, which is about two blocks west of the main UAA campus. There is a common tenant-client parking area.

The program's primary functions include interdisciplinary training, development of exemplary services, technical assistance, applied research and video and literature distribution for people with disabilities and their families. There are about 30 on-site staff members, including graduate or student assistants. Approximately 12 students come to the Center for research and other academic studies and/or practicum or internship.

For any criminal incident, the UAA Public Safety Department and Anchorage Police Department would be called.

### **Downtown Center**

707 A Street

*Contact:* Fredha Olsen  
Manager  
707 A Street  
Anchorage, AK 99501  
(907) 257-2708; FAX (907) 257-2707

*Local law enforcement contact:* Anchorage Police Department; UAA Department of Public Safety

The Downtown Center building is owned by UAA and is situated about three miles northwest of the Anchorage campus in downtown Anchorage. The parking lot is designated for university use and can accommodate approximately 30 cars.

The building houses several different UAA programs and one UAF program. Offices, research labs, library, and classrooms occupy the building space. The building is used year round and is open from 8:00 AM to 9:00 PM seven days a week. Approximately 100 employees work in the building and about 9,000 students attend classes there.

Alice F. Dionne is director of the Downtown Center and coordinator of the Community Education Department. Dr. Douglas Segar is director of the Environmental and Natural Resources Institute (ENRI) housed in the same building. For any criminal incident, Anchorage Police Department would be called and the UAA Public Safety Department would be notified.

### **Drug Abuse Research Field Station**

730 I Street

*Contact:* Dennis Fisher  
Director, Drug Abuse Research Field Station  
730 I Street  
Anchorage, AK 99501  
(907) 272-8009

*Law enforcement contact:* Anchorage Police Department

The Drug Abuse Research Field Station is housed in a leased portion of the first floor of a building in downtown Anchorage, about four miles northwest of the Anchorage campus. The building has a common tenant-client parking area.

The office is open year-round from 9:00 AM till 5:00 PM, Monday through Friday. There are eight employees, both full-time and part-time. The program is a research project and occasionally students are taken to the site for field study.

The director of the program is Dr. Dennis Fisher. For any criminal incident Anchorage Police Department would be called.

*Contact:* Henry Cagle  
Director, Drug Abuse Research Field Station  
730 I Street  
Anchorage, AK 99501  
(907) 561-4201

*Local law enforcement contact:* Anchorage Police Department

The Drug Abuse Research Field Station is housed in a leased portion of the first floor of a building in downtown Anchorage, about four miles northwest of the Anchorage campus. The building has a common tenant-client parking area.

The office is open year-round from 9:00 AM till 5:00 PM, Monday through Friday. There are eight employees, both full-time and part-time. The program is a research project and occasionally students are taken to the site for field study.

The director of the program is Dr. Dennis Fisher. For any criminal incident Anchorage Police Department would be called.

### **Educational Opportunity Center**

500 L Street, Suite 501

*Contact:* Sherry A. Warren  
Director, Educational Opportunity Center  
500 L Street, Suite 501  
Anchorage, AK 99501  
(907) 274-5522; FAX (907) 274-7229

*Local law enforcement contact:* Anchorage Police Department

The Educational Opportunity Center is housed in a leased suite in downtown Anchorage, approximately four miles northwest of the main UAA campus. There is a common parking lot for all tenants and clients of the building. Mary Lou Wirum is the owner of the building.

The Educational Opportunity Center is a service-oriented program which assists community members and students (as clients) in researching schools and financial aid possibilities.

The office is open year-round from 8:00 AM to 5:00 PM, Monday through Friday. There are approximately five employees. Sherry Warren is director of the program. There are no set security procedures. For any criminal incident Anchorage Police Department would be called.

### **Educational Talent Search Program**

2221 E. Northern Lights Blvd., Ste. 106 (Carlton Trust Building)

*Contact:* Eric Peterson  
Director, Educational Talent Search Program  
2221 E. Northern Lights Blvd., Ste. 106  
Anchorage, AK 99508  
(907) 258-0487; FAX (907) 272-5486

*Local law enforcement contact:* Anchorage Police Department

Education Talent Search serves at-risk junior and senior high school students. Tutoring services are offered at the school, at the student's home, or at the office site. Educational Talent Search is located in the Carlton Trust Building. The office is open year-round from 8:00 AM till 5:00 PM, Monday through Friday. There are four full-time employees and four to ten part-time employees may be on staff. Eric Peterson is the director. The Carlton Trust Building is located in the east midtown section of Anchorage, about three blocks west of the main campus of University of Alaska Anchorage. The building houses several programs of both UAA and UAF. It has an outdoor parking lot for common tenant-client use, as well as a locked, card-keyed underground parking garage with assigned spaces for tenants. The building is managed by Hoffman Management Company. Security is provided by Alaska General Alarm. For any criminal incident Anchorage Police Department would be notified.

### **Mining and Petroleum Training Services (MAPTS)**

701 East Tudor Road, Suite 270

*Contact:* Vacant

Director, Mining & Petroleum Training Services (MAPTS)

701 East Tudor Road, Suite 270

Anchorage, AK 99503

(907) 563-8098; FAX (907) 561-3563

*Local law enforcement contact:* Anchorage Police Department

Mining and Petroleum Training Services (MAPTS) is housed in a leased suite in the Pierce Street Annex Building, which is approximately three miles west of the UAA main campus. There is a common tenant-client parking area.

MAPTS provides vocational and regulatory training for industry in, for example, hazardous waste disposal, asbestos removal training, etc. About 300 students attend classes throughout the year. The office is open eleven months of the year. It is closed in August. Office hours are 7:00 AM to 5:00 PM, Monday through Friday.

The program director position is currently vacant. For any criminal incident Anchorage Police Department would be called.

### **Small Business Development Center**

430 West 7th Avenue, Suite 110 (Hafling Building)

*Contact:* Jan Fredericks

State Director, Small Business Development Center

430 W. 7th Avenue, Suite 110

Anchorage, AK 99501

(907) 274-7232; FAX (907) 274-9524

*Local law enforcement contact:* Anchorage Police Department

The Small Business Development Center is housed in a leased suite in the Hafling Building, which is in downtown Anchorage approximately four miles northwest of the main UAA campus. A common tenant-client parking lot adjacent to the building includes ten designated parking spaces for the Center. The building is owned by Steve Hafling.

The Small Business Development Center offers counselling for small businesses, develops programs to help small businesses, and gives small business workshops.

The office is open year-round from 8:00 AM to 5:00 PM. It is generally unoccupied on the weekends. There are about eight staff members and two student workers. The suite is used mostly for administration and general office purposes.

Jan Fredericks is State Director of the Small Business Development Center. For any criminal incident Anchorage Police Department would be called. There was no clear indication that any building security was available.

### **Women's Gymnastic Team Program**

525 W. Potter (Anchorage Gymnastics Association)

*Contact:* Paul Stoklos

Head Gymnastics Coach

3211 Providence Drive

Anchorage, AK 99508

(907) 786-1229; FAX (907) 563-4565

*Local law enforcement contact:* Anchorage Police Department

UAA leases the Gymnastics North Building, about two miles south of the main UAA campus, for the Women's Gymnastic Team Program. The building is part of a mall-type office complex, but UAA leases only the Gymnastics North Building. The parking area is for tenant-client use.

The building is used for practice. About eight to twelve persons use the facility for about four hours a day. There is only one employee. The days of use are flexible, and the building is leased year-round.

Paul Stoklos is the gymnastics coach. For any criminal incident, the manager of the building would be called; then Ronald Petro, Director of Athletics, and Trig Trigiano, Manager of Environmental Health and Safety, would be notified, or Anchorage Police Department would be called.

## COPPER CENTER

### **Copper Basin Extension Center**

Mile 115 Richardson Highway

*Contact:* Barb Doty  
Clerk Specialist II  
P.O. Drawer 11  
Copper Center, AK 99573  
(907) 822-3673; FAX (907) 822-5574

*Local law enforcement contact:* Alaska State Troopers

Copper Basic Extension Center is housed in a building in Copper Center, about 200 miles east of the main UAA campus. UAA leases about one-third of the building. There is a small parking lot designated for university use.

Copper Basin Extension Center is an extension branch of Prince William Sound Community College. The building is open ten months of the year from 9:00 AM to 9:00 PM, Monday through Friday. It is closed in June and July. About 100 students attend classes. There are ten employees, both full-time and part-time.

Barb Doty is the Clerk Specialist II and is the contact person for this extension branch. For any criminal incident the Alaska State Troopers would be called.

## CORDOVA

### **Cordova Extension Center**

702 Second Street

*Contact:* Patty Gilbert  
Coordinator, Cordova Extension Center  
P.O. Box 1248  
Cordova, AK 99574  
(907) 424-7598; FAX (907) 424-7588

*Local law enforcement contact:* Cordova Police Department

The Cordova Extension Center is housed in a leased portion of a building in Cordova, approximately 250 miles southeast of Anchorage. There is a common tenant-client parking area.

The Cordova Extension Center is a branch of the Prince William Sound Community College. It operates year-round from 8:00 AM to 9:00 PM, Monday through Friday. There are three administrative employees and 25 to 30 part-time instructors. About 150 students attend classes.

Patty Gilbert is the coordinator of the program. For any criminal incident Cordova Police Department would be called and Linda Bowman from Prince William Sound Community College would be notified.

Carol Swartz is the director of Kachemak Bay Branch. For any criminal incident Homer Police Department would be called.

## KODIAK

### **Kodiak College**

117 Benny Benson Drive

*Contact:* Carol J. Hagel  
Director, Kodiak College  
117 Benny Benson Drive  
Kodiak, AK 99615  
(907) 486-4161; FAX (907) 486-4166

*Local law enforcement contact:* Kodiak Police Department

Kodiak College consists of five buildings on 66 acres in Kodiak, which is approximately 249 miles southwest of Anchorage. There is a parking lot for faculty and student use.

The campus buildings, which house offices, classrooms, and labs, are open year-round from 8:00 AM to 10:00 PM, Monday through Saturday. Approximately 24 full-time and 60 part-time employees work at the college. Approximately 1000 students attend classes.

Carol Hagel is the program director. For any criminal incident Kodiak Police Department would be called.

The Kodiak College campus includes the following buildings:

117 Benny Benson Drive	Adult Learning Center
117 Benny Benson Drive	Benny Benson Building
117 Benny Benson Drive	College Cabin No. 1
117 Benny Benson Drive	College Cabin No. 2
117 Benny Benson Drive	Voc-Tech Building

## PALMER

### **Matanuska-Susitna College**

Trunk Road

*Contact:* Joseph W. Emmons  
Director, Matanuska-Susitna College  
P.O. Box 2889  
Palmer, AK 99645  
(907) 745-9774; FAX (907) 745-9711

*Local law enforcement contact: Alaska State Troopers*

Matanuska-Susitna College is about a mile north of the Parks Highway near its junction with the Glenn Highway, and approximately fifty miles north of the main UAA campus in Anchorage. The campus consists of five buildings on 970 acres. The parking lots are designated for university use.

The campus is open year-round from 8:00 AM to 10:00 PM, Monday through Friday, and is open from 9:00 AM to 5:00 PM on Saturday. Approximately 1800 students attend classes at Mat-Su College, which has about 37 full-time employees, 100 adjunct faculty and 15 part-time clerical workers.

Joseph W. Emmons is Director of Mat-Su College. Susan Musgrove is Business Manager. There is no formal campus security per se, but, as Physical Plant Manager, Walt Ortner is head of maintenance and security. The Alaska State Troopers would be called in the event of a criminal incident.

Two part-time students patrol the parking area each night from 6:00 PM to 10:30 PM in vehicles equipped with yellow flashing lights. They carry radios with direct lines to the Alaska State Troopers. The Student Patrol keeps an activity log of any incidents that occur. They also provide an escort service for students to and from buildings and parking areas.

The Matanuska-Susitna College campus includes the following buildings:

Trunk Road off Parks Hwy.	Alvin S. Okeson Building
Trunk Road off Parks Hwy.	Jalmar M. Kerttula Building
Trunk Road off Parks Hwy.	Log Cabin Storage
Trunk Road off Parks Hwy.	Ortner Warehouse
Trunk Road off Parks Hwy.	Snodgrass Hall

**SOLDOTNA****Kenai Peninsula College (Main Campus)**

34820 College Drive

*Contact:* Ginger I. Steffy  
 Director, Kenai Peninsula College  
 34820 College Drive  
 Soldotna, AK 99669  
 (907) 262-5801; FAX (907) 262-9280

*Local law enforcement contact:* Soldotna Police Department; Alaska State Troopers

The main campus of Kenai Peninsula College is made up of five buildings on 360 acres of land approximately three miles from Soldotna, which is about 190 miles southwest of Anchorage. There is a designated parking lot on the campus.

The buildings house offices, classrooms, student services, and labs. The campus is open year-round from 8:00 AM till 10:00 PM, Monday through Friday. The College employs about 55 faculty and staff members and about 60 part-time teachers. Approximately 1500 students attend classes.

Ginger Steffy is the director. For any criminal incident Soldotna Police Department would be notified.

The Kenai Peninsula College campus includes the following buildings:

34820 College Drive	Campus Warehouse
---------------------	------------------

34820 College Drive  
34820 College Drive  
34820 College Drive  
34820 College Drive

Clarence Goodrich Building  
Clayton R. Brockel Building  
Enid S. McLane Building  
Voc-Tech Building

### **Mining and Petroleum Training Services (MAPTS)**

155 Smith Way, Suite 101 (Woodruef Building)

*Contact:* Dennis D. Steffy  
Director, Mining and Petroleum Training Services (MAPTS)  
155 Smith Way, Suite 101  
Soldotna, AK 99669  
(907) 262-2788; FAX (907) 262-2812

*Local law enforcement contact:* Alaska State Troopers; Soldotna Police Department

The Soldotna office of Mining and Petroleum Training Services (MAPTS) is located in a leased suite in the Woodruef Building in Soldotna, approximately 180 miles south of Anchorage. There is a common tenant-client parking area.

The office is open year-round from 8:00 AM till 5:00 PM, Monday through Friday. It employs six instructors who teach environmental health and safety and mining safety. These classes are occasionally held in the conference room. Statewide, approximately 1,000 to 2,000 students attend MAPTS classes.

Dennis Steffy is Director. For any criminal incident Soldotna Police Department or the Alaska State Troopers would be called.

## **VALDEZ**

### **Prince William Sound Community College (PWSCC)**

303 Lowe Street

*Contact:* Linda C. Bowman  
Business Manager, Prince William Sound Community College  
P.O. Box 97  
Valdez, AK 99686  
(907) 835-2723; FAX (907) 835-2593

*Local law enforcement contact:* Valdez Police Department

Prince William Sound Community College (PWSCC) consists of four buildings on two sites in Valdez, which is about 125 air-miles east of Anchorage.

The Grouden-Harrison Building is located on the four-acre main campus. It is the main educational building and houses offices, classrooms, and labs. It is open year-round from 6:00 AM to 10:00 PM, Monday through Saturday. Cordova Hall, Copper Basin Hall, and Valdez Hall, which are student housing buildings, are about one quarter of a mile away. There are parking lots both on the main campus and at the student housing site.

There are 40 permanent employees and 50 part-time faculty. Approximately 125 students attend classes at PWSCC.

Dr. Jo Ann C. McDowell is President of PWSCC and Linda Bowman is the business manager. For any criminal incident Valdez Police Department would be called.

The Prince William Sound Community College campus includes the following buildings:

303 Lowe Street  
110 Alatna  
105 Pioneer  
Meals Avenue

Grouden-Harrison Building  
Copper Basin Hall (dorms)  
Cordova Hall (dorms)  
Valdez Hall (dorms)

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## E. Historical Documents

*The U.S. Department of Education wrote two “Dear Colleague” letters (DCLs) in 1991 which described the requirements of, and methods for complying with, the Student Right-to-Know and Campus Security Act of 1990. These letters were written prior to codification of regulations for implementation of the act. This appendix excerpts those parts of the DCLs relevant to Title II of the act—the Crime Awareness and Campus Security Act of 1990.*

### **“DEAR COLLEAGUE” LETTER OF MARCH 1991**

*Excerpted from “Dear Colleague” letter GEN-91-14 from Ernest C. Canellos, Acting Deputy Assistant Secretary for Student Financial Assistance, U.S. Department of Education, March 1991.*

The Student Right-to-Know and Campus Security Act (Public Law 101-542), signed into law November 8, 1990, contains several requirements that affect your institution’s continued participation in the Title IV student financial assistance programs authorized by the Higher Education Act of 1965, as amended. . . .

Title II of Public Law 101-542 is the Crime Awareness and Campus Security Act of 1990. This Act requires an institution to begin to collect certain information described below, commencing September 1, 1991. It also requires that the institution prepare, publish and distribute this information to all current students and employees, and to any applicant for enrollment or employment upon request, beginning September 1, 1992 and each year thereafter. This information is:

- (A) A statement of current campus policies regarding procedures and facilities for students and others to report criminal actions or other emergencies occurring on campus and policies concerning the institution’s response to such reports.
- (B) A statement of current policies concerning security and access to campus facilities, including campus residences, and security considerations used in the maintenance of campus facilities.
- (C) A statement of current policies concerning campus law enforcement, including—
  - (i) the enforcement authority of security personnel, including their working relationship with State and local police agencies; and
  - (ii) policies which encourage accurate and prompt reporting of all crimes to the campus police and the appropriate police agencies.
- (D) A description of the type and frequency of programs designed to inform students and employees about campus security procedures and practices and to encourage students and

employees to be responsible for their own security and the security of others.

(E) A description of programs designed to inform students and employees about the prevention of crimes.

(F) Statistics concerning the occurrence on campus, during the most recent school year, and during the two preceding school years for which data are available, of the following criminal offenses reported to campus security authorities or local police agencies—

- (i) murder;
- (ii) rape;
- (iii) robbery;
- (iv) aggravated assault;
- (v) burglary; and
- (vi) motor vehicle theft.

(G) A statement of policy concerning the monitoring and recording through local police agencies of criminal activity at off-campus student organizations whose participants are students of the institution. The off-campus student organizations are those recognized by the institution, including student organizations with off-campus housing facilities.

(H) Statistics concerning the number of arrests for the following crimes occurring on campus:

- (i) liquor law violations;
- (ii) drug abuse violations; and
- (iii) weapons possessions.

(I) A statement of policy regarding the possession, use, and sale of alcoholic beverages and enforcement of State underage drinking laws and a statement of policy regarding the possession, use, and sale of Illegal drugs and enforcement of Federal and State drug laws and a description of any drug or alcohol abuse education programs as required under section 1213 of the Higher Education Act of 1965, as amended. (Section 1213 of the Higher Education Act of 1965, as amended, contains the drug free campuses requirements added by section 22 of the Drug Free Schools and Communities Amendments of 1989 (Public Law 101-226)).

The institution will be required to submit the information collected under paragraphs (F) and (H) above to the Secretary upon his request in order to allow the Secretary to fulfill the requirement of a report to Congress in 1995 on campus crime statistics. Further information will be included in the next Dear Colleague Letter on Pub.L. 101-542.

Title II of Pub.L. 101-542 also requires the Secretary to amend the Program Participation Agreement (PPA) for the Title IV Programs to contain a new certification that the institution has established a campus security policy and disclosed the information contained in paragraphs (A) through (I) above. The Department is currently revising the PPA and will send this revised version to institutions to sign and-return early in the summer.

The Department will be publishing a Notice of Proposed Rulemaking and Final Regulations to implement Pub.L. 101-542. In the interim, the Department is issuing this Dear Colleague Letter (DCL) and a subsequent DCL. The second DCL will provide more interpretative language of the statute in an effort to provide guidance to institutions before the publication of regulations. Institutions will receive the second DCL in the near future.

If you have any questions concerning this letter, please contact the Regional Office that serves your State.

*Sincerely,*  
*Ernest C. Canellos*  
*Acting Deputy Assistant Secretary*  
*for Student Financial Assistance*

## **“DEAR COLLEAGUE” LETTER OF AUGUST 1991**

*Excerpted from “Dear Colleague” letter, GEN-91-27, from Michael J. Farrell, Deputy Assistant Secretary for Student Financial Assistance, U.S. Department of Education, August 1991.*

In March, 1991 you received our “Dear Colleague Letter” (DCL) GEN-91-14 concerning Pub.L. 101-542, the Student Right-to-Know and Campus Security Act. This letter provides additional guidance for compliance with this Act’s provisions and updates concerning legislative changes made since DCL GEN-91-14.

A notice of proposed rulemaking is expected to be published in the Fall, 1991 with final regulations published in the Spring, 1992. The Student Right-to-Know and Campus Security Act as amended by the Higher Education Technical Amendments of 1991 (Pub.L. 102-26) (the Act) requires institutions to commence collecting certain information in July and August, 1991. This letter is being provided to assist institutions in the implementation of the Act until the publication of the final regulations. The Secretary strongly recommends that institutions use the guidelines presented in this letter. Moreover, the Secretary assures institutions that if they follow these recommended policies until publication of final regulations, they will be in compliance with the Act.

### **Overview of Legislative Changes**

Since the publication of DCL GEN-91-14, the President signed into law Pub.L. 102-26, the Higher Education Technical Amendments of 1991. We provide the following guidance concerning the Student Right-to-Know and Campus Security Act: . . .

- The date was changed from September 1 to August 1, for an institution to begin to collect information with respect to campus crime and security policies under Title II of the Act. Disclosures of crime statistics and campus security policies are still to be made beginning September 1, 1992 and each year thereafter on September 1. Information is to be collected for the period from August 1 through July 31, with the first year being August 1, 1991 through July 31, 1992.
- The description of ‘years’ for which the crime statistics under Section 485(f)(1)(F) of the Higher Education Act of 1965, as amended are to be provided was changed from school’ year to ‘calendar’ year. Thus, instead of ‘the most recent school year, and during the two preceding school years for which data are available,’ the law now states “the most recent calendar year, and during the two preceding calendar years for which data are available.” Further information about these years is provided later in this letter. . . .

### **Requirements of Title II of the Act**

Title II of the Act is the Crime Awareness and Campus Security Act of 1990. This Act requires an institution to begin to collect certain information described below, commencing August 1, 1991. It also requires that the institution prepare, publish, and distribute this information to all current students and employees, and to any applicant for enrollment or employment, upon request, beginning September 1, 1992 and each year thereafter. This information is:

- (A) A statement of current campus policies regarding procedures and facilities for students and others to report criminal actions or other emergencies occurring on campus and policies

concerning the institution's response to such reports.

(B) A statement of current policies concerning security and access to campus facilities, including campus residences, and security considerations used in the maintenance of campus facilities.

(C) A statement of current policies concerning campus law enforcement, including—

(i) the enforcement authority of security personnel, including their working relationship with State and local police agencies; and

(ii) policies which encourage accurate and prompt reporting of all crimes to the campus police and the appropriate police agencies.

(D) A description of the type and frequency of programs designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others.

(E) A description of programs designed to inform students and employees about the prevention of crimes.

(F) Statistics concerning the occurrence on campus, during the most recent calendar year, and during the two preceding calendar years for which data are available, of the following criminal offenses reported to campus security authorities or local police agencies—

(i) murder;

(ii) rape;

(iii) robbery;

(iv) aggravated assault;

(v) burglary; and

(vi) motor vehicle theft.

(G) A statement of policy concerning the monitoring and recording through local police agencies of criminal activity at off-campus student organizations whose participants are students of the institution. The off-campus student organizations are those recognized by the institution, including student organizations with off-campus housing facilities.

(H) Statistics concerning the number of arrests for the following crimes occurring on campus:

(i) liquor law violations;

(ii) drug abuse violations; and

(iii) weapons possessions.

(I) A statement of policy regarding the possession, use, and sale of alcoholic beverages and enforcement of State underage drinking laws and a statement of policy regarding the possession, use, and sale of illegal drugs and enforcement of Federal and State drug laws and a description of any drug or alcohol abuse education programs as required under section 1213 of the Higher Education Act of 1965, as amended. Section 1213 of this Higher Education Act of 1965, as amended, contains the drug free campuses requirements added by section 22 of the Drug Free Schools and Communities Amendments of 1989 (Public Law 101-226)).

As indicated above, Title II of the Act requires an institution to provide these disclosures to prospective and current students and employees. Examples of appropriate publications or mailings for the disclosure of the institution's crime security policies and statistics are the institution's catalog, a student handbook, a crime prevention manual or brochure, an information leaflet, etc.

The Act requires the collection and disclosure of crime statistics under section 485(f)(1)(F) of the HEA of 1965, as amended, (paragraph (F) above) for the period August 1 through July 31 for each of three years. Data to be disclosed on September 1, 1992 should be that collected for August 1, 1991 through July 31, 1992, and any two preceding years for which data are available. For the

first year only (in other words, for the September 1, 1992 disclosures) the preceding year data may be for any time period, e.g. January through December, August through July, etc.; these years, however, may not overlap one another. The Act further requires the collection and disclosure of statistics regarding arrests for certain crimes under section 485(f)(1)(H) of the HEA of 1965, as amended, (paragraph (H) above) for the period August 1, 1991 through July 31, 1992 for disclosure on September 1, 1992. Each year on September 1 when disclosure is required, three years of data will be given under Section 485(f)(1)(F) of the HEA of 1965, as amended, but only one year's data will be given under Section 485(f)(1)(H) of that Act.

Section 204 of the Act defines a campus as including:

- (1) any building or property owned or controlled by the institution of higher education within the same reasonably contiguous geographic area and used by the institution in direct support of, or related to its educational purposes; or
- (2) any building or property owned or controlled by student organizations recognized by the institution.

For example, if an institution rents space (e.g., the fourth floor of a building) to hold classes, and is responsible for a section of the parking lot for its students' use, the fourth floor of the building and the section of the parking lot provided to the institution's students should be considered part of the institution's campus because they are within the institution's control, as provided by the statute under paragraph (1) above. If, for example, in an urban university setting a student is murdered while walking from one building to another, and the street on which the crime took place is publically [sic] owned, the institution does not own or control that street, and therefore, is not required to disclose the crime. For institutions that have a wholly-owned campus outside of the United States, the statute provides that it be treated as a separate campus for Title II purposes.

Section 204 of the Act requires that an institution provide its students and employees a statement of policy regarding the possession, use, and sale of alcoholic beverages and enforcement of State underage drinking laws and a statement of policy regarding the possession, use, and sale of illegal drugs and enforcement of Federal and State drug laws and a description of any drug or alcohol abuse education programs as required under section 1213 of the Higher Education Act of 1965, as amended. (Section 1213 of the HEA of 1965, as amended, contains the drug free campuses requirements added by section 22 of the Drug Free Schools and Communities Amendments of 1989 (Public Law 101-226)). Institutions which currently describe their policies regarding drug and alcohol use in the materials they distribute annually to comply with regulations governing Drug-Free Schools and Campuses (34 CFR Part 86) do not have to repeat the information for Section 204 purposes, but a reference must be made to the materials containing those policies.

Section 204 of the Act also requires an institution to make timely reports to the campus community on the following crimes "reported to campus security authorities or local police agencies" that are considered to be a threat to other students and employees: murder, rape, robbery, aggravated assault, burglary and motor vehicle theft. Institutions should recognize that the term "campus security authorities" is broader than the term "campus police force." Specifically, the Department understands the term "campus security authorities" to include (1) any individual or entity specified in an institution's statement of campus security policy as the individual or entity to whom students and others should report criminal offenses, as well as (2) administration officials having primary responsibility for student and campus activities, such as student counselors, deans and campus residence directors. The institution must provide these reports in a manner that is timely and will aid in the prevention of similar crimes. The Secretary recommends that the institution meet with

the institution's security personnel, and local and State law enforcement authorities to discuss what is reasonable in terms of the timely reporting of these crimes.

Attached are the following publications made available to you by the Federal Bureau of Investigation for complying with the statutory requirement to use the definitions found in those publications for the crime statistics information the institution must disclose under paragraphs (F) and (H) on pages 8 and 9 of this letter: the *Uniform Crime Reporting Handbook* and the *Hate Crime Data Collection Guidelines*.

Title II of the Act requires the Secretary to amend the Program Participation Agreement (PPA) for the Title IV Programs to contain a new certification that the institution has established a campus security policy and disclosed certain statistical information concerning crimes on campus. Once an institution receives the PPA, the institution should promptly execute the agreement and return it to the Department.

Foreign institutions are exempt from compliance with these requirements as they are exempt from the requirements of the Student Assistance General Provisions Regulations.

If you have any other questions concerning the Act or this letter, please contact the Regional Office that serves your State.

*Sincerely,*  
*Michael J. Farrell*  
*Deputy Assistant Secretary*  
*for Student Financial Assistance*

#### **“DEAR COLLEAGUE” LETTER OF MAY 1996**

*“Dear Colleague” letter GEN-96-11 from David A. Longanecker,  
U.S. Department of Education, May 1996.*

Summary: This letter provides an overview of the regulatory provisions, and guidance to institutions on how to receive technical assistance in administering the campus security regulations, and the Department's enforcement policy regarding them.

Reference: Regulations published April 29, 1994 and June 30, 1995;  
Chapter 3 of the Federal Student Financial Aid Handbook.

Dear Colleague:

The purpose of this letter is to provide you with an overview of the campus security regulations and to bring you up to date on various aspects of an institution's administration of them. Originally, the campus security regulations were published in the Federal Register on April 29, 1994 and were effective July 1, 1994. Subsequently, amendments to these regulations were published on June 30, 1995 and became effective on July 31, 1995. These final regulations superseded previous “Dear Colleague Letters” addressing campus security requirements. This letter provides information regarding to whom institutions, parents, and students should address their questions about these regulations, to whom an individual should raise concern about an institution's compliance with the regulations, and how the U.S. Department of Education will respond to allegations of an institution's noncompliance with the campus security regulations.

## OVERVIEW

By September 1 of each year, an institution must distribute: (1) to current students and employees: an annual security report containing certain statistics, policies, and a description of programs that promote campus safety and (2) to prospective students and employees: information about the availability of the report, a summary of the report, and an opportunity to request a copy of the report. Examples of what must be included in the report are:

1. Statistics on reports of on campus murders, sex offenses, robberies, aggravated assaults, burglaries, and motor vehicle thefts; and arrests for weapons possession and liquor and drug abuse violations;
2. Policies regarding security, access to campus residences and other facilities, and campus law enforcement;
3. Procedures for reporting crimes and other emergencies;
4. Information on campus sexual assault and rape awareness programs, procedures to follow when a sex offense occurs, disciplinary action procedures, counseling opportunities, and notification to students that the institution will make changes in a victim's academic and living situation if reasonably possible;
5. Policies on the use, possession and sale of alcoholic beverages and illegal drugs; and
6. A description of programs informing the campus community about alcohol and drug abuse education, crime prevention and campus security policies.

With limited exceptions, the regulations do not prescribe policies and procedures for institutions to follow, but rather require that disclosures be made concerning those policies and procedures.

An institution must make timely warning reports to the campus community on certain crimes that represent a continuing threat to students and employees and that were reported to officials with significant responsibility for student and campus activities, campus police, or local police. Campus officials with "significant counseling responsibility," however, are not subject to the timely warning requirement. This exception permits the official to provide confidential assistance to a crime victim, without the competing obligation to provide an immediate report of criminal activity to the campus community. This exception to the timely warning requirement does not apply to the institution's statistical reporting obligations. All officials with significant responsibility for campus and student activities are required to provide information for preparation of the annual statistical report.

## FAMILY EDUCATION RIGHTS AND PRIVACY ACT (FERPA)

It has been brought to the Secretary's attention that there is some confusion regarding the interplay of the disclosures required under the Campus Security Act and the prohibitions against the disclosure of information from education records contained in the Family Education Rights and Privacy Act (FERPA). As explained in the preamble to the campus security regulations, FERPA provides no barrier to compliance with the disclosures under the campus security regulations.

### **Reporting of statistics**

The reporting of crime statistics by an institution of the occurrence of crimes on campus does not violate FERPA. FERPA protects the nonconsensual disclosure of personally identifiable information from education records; FERPA does not protect statistical information.

### **Timely warning provision**

FERPA does not preclude an institution's compliance with the timely warning provision of the campus security regulations. FERPA recognizes that information can, in case of an emergency, be released without consent when needed to protect the health and safety of others (34 C.F.R. Sections 99.31(b)(6) & 99.36). In addition, if institutions utilize information from the records of a campus law enforcement unit to issue a timely warning, FERPA is not implicated as those records are not protected by FERPA (20 U.S.C. Section 1232g(a)(4)(B)(ii)).

### **Informing the accuser and the accused of the outcome of a disciplinary proceeding**

The Student Right to Know and Campus Security Act amended FERPA to allow institutions to disclose to the victim of an alleged crime of violence the results of a disciplinary proceeding brought against a student accused of the crime, without the prior consent of the accused. This disclosure is limited to the alleged victim, who should be informed that the information may not be disclosed to the public generally (20 U.S.C. Section 1232g(b)(6)).

### **Reporting crimes referred to a disciplinary committee.**

An institution is not relieved of compliance with the reporting requirements of the campus security regulations when the institution refers a matter to a disciplinary committee, rather than to the institution's law enforcement unit or directly to the local authorities.

## **TECHNICAL ASSISTANCE**

Staff of the Department's Customer Support Branch in the Office of Postsecondary Education are trained to provide technical assistance to institutions in administering campus security regulations. **The telephone number and hours of operation for the Customer Support Branch are 1-800-433-7327, 9:00a.m. 5:00p.m. Eastern time, Monday through Friday.** After hours calls will be accepted by an automated voice response system. Callers leaving their name and telephone number will receive a return call the next business day. You may also fax an inquiry to (202) 260-4199.

The Department's Family Compliance Office is responsible for administering FERPA. An institution with specific questions related to FERPA, needing technical assistance, or desiring to receive in service training may contact the Family Policy Compliance Office, U.S. Department of Education, 600 Independence Avenue, SW, Washington, DC 20202 4605. Additionally, an institution may contact the office by electronic mail at FERPA@ED.GOV or by calling 202-260-3887.

## **COMPLAINT PROCEDURE**

An individual desiring to file a complaint alleging that an institution is not complying with these regulations should contact the Director of the Regional Office that serves the State in which

the institution is located. For this and other purposes, I have attached a list of names of Regional Directors, their addresses, and their telephone numbers.

When a complaint is filed against an institution alleging noncompliance with the campus security regulations, the Department will assess the complaint and determine the appropriate response. The Secretary recognizes that the campus security regulations represent new responsibilities for most institutions, and include issues that many will be addressing for the first time. If an institution has difficulties administering a provision of these regulations, the Department will provide technical assistance so that violations can be corrected. If, however, an institution flagrantly or intentionally violates the campus security regulations, or fails to take corrective action, the Secretary will, when appropriate, take action against the institution by imposing sanctions against that institution. The type of sanction will depend upon the severity of the violations; possible sanctions include the assessment of fines, and in very severe violations, the limitation, suspension or termination of the institution from participation in the Title IV, HEA Programs.

The Secretary, with his colleagues in the higher education community, believes that students nationwide must have a safe environment in which to learn, and is committed to ensuring that the Campus Security Act of 1990 is implemented fully by postsecondary institutions.

*Sincerely,*  
*David A. Longanecker*