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# SENATE COMMITTEE ON EDUCATION

Senator Carol Liu, Chair  
2015 - 2016 Regular

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**Bill No:** AB 1654  
**Author:** Santiago  
**Version:** May 27, 2016  
**Urgency:** No  
**Consultant:** Kathleen Chavira  
**Hearing Date:** June 15, 2016  
**Fiscal:** Yes

**Subject:** Student safety: crime reporting

## SUMMARY

This bill expands existing audit requirements regarding the reporting of crime statistics by California postsecondary education institutions by requiring the State Auditor to include an evaluation of institutions' compliance with state law governing crime reporting and the development and implementation of student safety policies and procedures.

## BACKGROUND

Existing federal law requires, under the federal colleges and universities, as a condition of federal student aid program participation, to publish annual campus security reports, maintain crime logs, provide timely warnings of crimes that present a public safety risk, and maintain ongoing crime statistics. (Federal law citation, Title IX and the Clery Act)

Existing law requires, beginning no later than January 1, 2004, the State Auditor to audit at least six colleges every three years regarding to evaluate the accuracy of their statistics and procedures for complying with the Clery Act's crime statistics reporting requirements. The State Auditor is required to report the audit results to the respective Chairs of the Assembly Committee on Higher Education and the Senate Committee on Education. (Education Code § 67382)

## ANALYSIS

This bill:

- 1) Expands audit requirements relative to the reporting of crime statistics by California postsecondary education institutions. It:
  - a) Requires the audit include an evaluation of institutions' compliant with state law governing crime reporting.
  - b) Requires the audit include an evaluation of the institutions' development and implementation of student safety policies and procedures.
- 2) Deletes the requirement that the California Postsecondary Education Commission post links to institutional Web sites that include criminal statistics information.
- 3) Makes other technical changes.

**STAFF COMMENTS**

- 1) ***Need for the bill.*** According to the author, "The State Auditor recently reviewed six California postsecondary institutions, finding that none were in full compliance with federal laws (the Clery and Reauthorization Acts) that require disclosure of campus crime statistics and campus security policies. The Auditor also surveyed 79 campuses, determining most provide security policies and crime statistics online but some lack notification of availability.

"Inaccurate and/or incomplete reporting of crime statistics by postsecondary institutions can provide an inadequate representation of campus safety to students, parents, and employees. Furthermore, various complex provisions have been recently added to the state Education Code in regards to campus safety and sexual assault, and it is unknown how well postsecondary institutions are complying with these new laws.

- 2) ***Related state audit.*** In July 2015, the Bureau of State Audits (BSA) issued a report, *California's Postsecondary Educational Institutions: More Guidance Is Needed to Increase Compliance with Federal Crime Reporting Requirements*. The BSA visited six institutions to determine whether their annual security reports issued in 2014 contained all required security policies and accurate crime statistics for 2013. These included Fresno City College, San Francisco State University, Shasta College, Stanford University, University of California at San Diego, and University of Redlands. They also surveyed 79 of the 573 campuses that reported no Clery Act crimes for 2013 to determine whether their institutions' procedures for compiling and distributing the statistics were sufficient.

The BSA found that none of the six institutions were in full compliance with the Clery Act requirements. In addition, of the 79 campuses surveyed, while most indicated that they have sufficient processes in place to help ensure that they report accurate crime statistics, the BSA felt that some institutions needed to strengthen their practices for notifying students and employees of the availability of their annual security reports.

Among other things, the Auditor recommended the institutions correctly report all applicable crimes and disclose the required campus security policies by reviewing and adhering to applicable guidance related to the Clery Act, creating written procedures that clearly describe the review process for reporting, and ensuring that they include all crimes in their daily crime log.

**SUPPORT**

California State Student Association  
Crime Victims United of California

**OPPOSITION**

None received.