



The University of Texas at Austin  
University Compliance Services

# CLERY ACT REFERENCE GUIDE

# CLERY GEOGRAPHY

## **On Campus**

- i. Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and
- ii. Any building or property that is within or reasonably contiguous to the area identified in paragraph (i) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

## **On-Campus Student Housing**

A dormitory or other residential facility for students that is located on an institution's campus.

## **Public Property**

All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

## **Noncampus Property**

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

# CLERY OFFENSES

## **Murder/Nonnegligent Manslaughter**

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

## **Manslaughter by Negligence**

The killing of another person through gross negligence.

## **Rape**

The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Mandatory report to Title IX per [TEX. EDUC. CODE § 51.252](#)

## **Fondling**

The touching of the private body parts of another person for the purpose of sexual gratification without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

Mandatory report to Title IX per [TEX. EDUC. CODE § 51.252](#)

## **Incest**

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

Mandatory report to Title IX per [TEX. EDUC. CODE § 51.252](#)

## **Statutory Rape**

Nonforcible sexual intercourse with a person who is under the statutory age of consent.

Mandatory report to Title IX per [TEX. EDUC. CODE § 51.252](#)

## **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.

## **Burglary**

The unlawful entry of a structure to commit a felony or a theft.

## **Motor Vehicle Theft**

The theft or attempted theft of a motor vehicle.

## **Arson**

Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

# VAWA OFFENSES

## Dating Violence

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

Mandatory report to Title IX per [TEX. EDUC. CODE § 51.252](#)

## Domestic Violence

A pattern of behavior involving the use or attempted use of physical, sexual, verbal, psychological, economic, or technological abuse or any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim, by a person who—

- i. is a current or former spouse or dating partner of the victim, or other person similarly situated to a spouse of the victim;
- ii. is cohabitating with or has cohabitated with the victim as a spouse or dating partner;
- iii. shares a child in common with the victim;
- iv. is an adult family member of, or paid or nonpaid caregiver in an ongoing relationship of trust with, a victim aged 50 or older or an adult victim with disabilities; or
- v. commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction.

Mandatory report to Title IX per [HOP 3-3031](#)

## **Stalking**

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to -

- a) Fear for the person's safety or the safety of others; or
- b) Suffer substantial emotional distress.

**Course of conduct** means two or more acts including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

**Reasonable person** means a reasonable person under similar circumstances and with similar identities to the victim.

**Substantial emotional distress** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Mandatory report to Title IX per [TEX. EDUC. CODE § 51.252](#)

## **ARREST/REFERRALS**

### **Drug Law Violations**

Violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use.

## **Liquor Law Violations**

Violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages.

## **Weapons Violations**

Violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

# **HATE CRIMES**

A hate crime is a committed criminal offense that is motivated, in whole or in part, by the offender's bias(es) against a person's:

- o race
- o religion
- o disability
- o sexual orientation
- o ethnicity
- o national origin
- o gender
- o gender identity

In addition to all the previous crimes listed, a hate crime can include intimidation, larceny-theft, simple assault, and destruction, damage, or vandalism of property.

# **ADDITIONAL CRIME CLASSIFICATIONS**

## **Intimidation**

To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

## **Larceny-theft**

The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

## **Simple Assault**

An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

## **Destruction/Damage/Vandalism**

To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.



# REPORT ELEMENTS

- ◇ Date & Time Reported
- ◇ Date & Time Offense(s) occurred
- ◇ Location of Offense (be as specific as possible)
- ◇ Victim information
- ◇ Offender information, if known (Name, description)
- ◇ Witness information, if known
- ◇ Detailed description of the incident
- ◇ Other offices that may have received the report
- ◇ Name of other officials involved, if known

# WHERE TO REPORT

## **University Police Department (UTPD)**

**University Police Building:** 2201 Robert Dedman Drive, Austin, TX 78712

**UTPD West:** Walter Webb Hall, 405 W. 25th St., Austin, TX 78705

**Emergency:** 911

**Phone:** 512-471-4441

**Website:** [POLICE.UTEXAS.EDU](http://POLICE.UTEXAS.EDU)

## **Title IX**

University Administration Building (UTA), Suite 2.507A

**Physical/Mailing Address:** 1616 Guadalupe Street, D9200, Austin, TX 78701

**Email:** [TITLEIX@AUSTIN.UTEXAS.EDU](mailto:TITLEIX@AUSTIN.UTEXAS.EDU)

**Phone:** 512-471-0419

**Website:** [TITLEIX.UTEXAS.EDU](http://TITLEIX.UTEXAS.EDU)

**Online Form:** [HTTPS://UTEXAS-GME-ADVOCATE.SYMPPLICITY.COM/TITLEIX\\_REPORT/INDEX.PHP/PID677078?](https://UTEXAS-GME-ADVOCATE.SYMPPLICITY.COM/TITLEIX_REPORT/INDEX.PHP/PID677078?)

All University employees except those deemed confidential employees are obligated by [TEX. EDUC. CODE § 51.252](#) to promptly report all occurrences of sexual harassment, sexual assault, dating violence, and stalking to the Title IX Coordinator.

## **Student Conduct and Academic Integrity**

Student Services Building 4.104

**Physical Address:** 100 West Dean Keeton Street, Austin, TX 78712

**Email:** [STUDENTCONDUCT@AUSTIN.UTEXAS.EDU](mailto:STUDENTCONDUCT@AUSTIN.UTEXAS.EDU)

**Phone:** 512-471-2841

**Website:** [HTTPS://DEANOFSTUDENTS.UTEXAS.EDU/CONDUCT/](https://DEANOFSTUDENTS.UTEXAS.EDU/CONDUCT/)

**Online Reporting:** [HTTPS://UTEXAS-ADVOCATE.SYMPPLICITY.COM/PUBLIC\\_REPORT/INDEX.PHP/PID096382?](https://UTEXAS-ADVOCATE.SYMPPLICITY.COM/PUBLIC_REPORT/INDEX.PHP/PID096382?)

## **University Compliance Services - Clery Manager**

University Administration Building (UTA), Suite 2.206

**Physical Address:** 1616 Guadalupe St., Austin, TX 78701

**Phone:** 512-471-8198

**CSA Reporting Form:** [HTTPS://UTEXAS.QUALTRICS.COM/JFE/FORM/SV\\_cT7P8pEFEAPE0E5](https://UTEXAS.QUALTRICS.COM/JFE/FORM/SV_cT7P8pEFEAPE0E5)

**Website:** [CLERY.UTEXAS.EDU](http://CLERY.UTEXAS.EDU)

**Email:** [CAMPUSSECURITYAUTHORITY@UTEXAS.EDU](mailto:CAMPUSSECURITYAUTHORITY@UTEXAS.EDU)

# ADDITIONAL RESOURCES

[University Compliance Services](#)

[The Clery Center](#)

[D.Stafford & Associates](#)

[National Association of Clery Compliance Officers and Professionals \(NACCOP\)](#)

[National Association of Student Personnel Administrators \(NASPA\)](#)

[Association for Student Conduct Administration \(ASCA\)](#)

[International Association of Campus Law Enforcement Administrators \(IACLEA\)](#)

[The Handbook for Campus Safety and Security Reporting](#)

(Rescinded October 2020; use for examples only)

# REPORTING MATRIX

	ON CAMPUS (INCLUDES ON-CAMPUS STUDENT HOUSING)	NONCAMPUS PROPERTY	PUBLIC PROPERTY	UNAFFILIATED PROPERTY
MURDER  NONNEGLIGENT MANSLAUGHTER	UTPD	Local Law Enforcement  UTPD	Local Law Enforcement  UTPD	Local Law Enforcement
RAPE  FONDLING  INCEST  STATUTORY RAPE	Title IX (Mandatory)   UTPD	Title IX (Mandatory)  Local Law Enforcement  UTPD	Title IX (Mandatory)  Local Law Enforcement  UTPD	Title IX (Mandatory)   Local Law Enforcement
ROBBERY	UTPD	Local Law Enforcement  UTPD	Local Law Enforcement  UTPD	Local Law Enforcement
AGGRAVATED ASSAULT	UTPD	Local Law Enforcement  UTPD	Local Law Enforcement  UTPD	Local Law Enforcement
BURGLARY	UTPD	Local Law Enforcement  UTPD	Local Law Enforcement  UTPD	Local Law Enforcement
MOTOR VEHICLE THEFT	UTPD	Local Law Enforcement  UTPD	Local Law Enforcement  UTPD	Local Law Enforcement
ARSON	UTPD  UT Fire Marshal	Local Law Enforcement  UTPD	Local Law Enforcement  UTPD	Local Law Enforcement

	<b>ON CAMPUS (INCLUDES ON-CAMPUS STUDENT HOUSING)</b>	<b>NONCAMPUS PROPERTY</b>	<b>PUBLIC PROPERTY</b>	<b>UNAFFILIATED PROPERTY</b>
<b>DATING VIOLENCE</b>	<b>Title IX (Mandatory)</b>	<b>Title IX (Mandatory)</b>	<b>Title IX (Mandatory)</b>	<b>Title IX (Mandatory)</b>
<b>DOMESTIC VIOLENCE</b>		<b>Local Law Enforcement</b>	<b>Local Law Enforcement</b>	<b>Local Law Enforcement</b>
<b>STALKING</b>	<b>UTPD</b>	<b>UTPD</b>	<b>UTPD</b>	<b>Local Law Enforcement</b>
<b>DRUG VIOLATIONS</b>	<b>UTPD</b>	<b>Local Law Enforcement</b>	<b>Local Law Enforcement</b>	<b>Local Law Enforcement</b>
		<b>UTPD</b>	<b>UTPD</b>	
<b>LIQUOR VIOLATIONS</b>	<b>UTPD</b>	<b>Local Law Enforcement</b>	<b>Local Law Enforcement</b>	<b>Local Law Enforcement</b>
		<b>UTPD</b>	<b>UTPD</b>	
<b>WEAPONS VIOLATIONS</b>	<b>UTPD</b>	<b>Local Law Enforcement</b>	<b>Local Law Enforcement</b>	<b>Local Law Enforcement</b>
		<b>UTPD</b>	<b>UTPD</b>	
<b>HATE CRIMES</b>	<b>UTPD</b>	<b>Local Law Enforcement</b>	<b>Local Law Enforcement</b>	<b>Local Law Enforcement</b>
		<b>UTPD</b>	<b>UTPD</b>	