

No. 1988-73

## AN ACT

HB 1900

Requiring institutions of higher education to provide students and employees with information relating to crime statistics and security measures and to provide similar information to prospective students and employees upon request; granting powers to the State Board of Education; and providing for penalties.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Short title.

This act shall be known and may be cited as the College and University Security Information Act.

Section 2. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

“Branch campus.” A branch campus is a unit of an institution of higher education which is distinguished by all of the following characteristics:

(1) An academic degree-granting program or organized parts thereof offered on a continuing basis.

(2) Location separately identifiable from the main campus of the parent institution and providing the services normally associated with the campus.

(3) Legal authority for governance, administration and general operation derived from the charter or enabling legislation of the parent institution or of the State System of Higher Education.

“Community colleges.” Institutions now or hereafter created pursuant to Article XIX-A of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, or the act of August 24, 1963 (P.L.1132, No.484), known as the Community College Act of 1963.

“Independent institution of higher education.” An institution of higher education which is operated not for profit, located in and incorporated or chartered by the Commonwealth, entitled to confer degrees as set forth in section 211 of the act of May 5, 1933 (P.L.289, No.105), known as the Non-profit Corporation Law, and entitled to apply to itself the designation “college” or “university” as provided for by standards and qualifications prescribed by the State Board of Education pursuant to the act of May 7, 1937 (P.L.585, No.150), entitled, as amended, “An act prohibiting the use of the designation of ‘college’ by any institution not conforming to the standards of a college prescribed by the State Board of Education; and providing for injunctions, and penalties.”

“Institution of higher education.” An independent institution of higher education, a community college, a State-owned institution or a State-related institution, any of which is approved by the Department of Education.

“State-owned institutions.” Those institutions which are part of the State System of Higher Education pursuant to Article XX-A of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949.

“State-related institutions.” The Pennsylvania State University, the University of Pittsburgh, Temple University and Lincoln University and their branch campuses.

“Student housing.” All residence halls and sorority and fraternity residences owned or under the control of the institution of higher education.

Section 3. Crime statistics and security policies and procedures.

(a) Crime statistics reports.—Each institution of higher education shall report to the Pennsylvania State Police, on an annual basis, crime statistics for publication in Crime in Pennsylvania (Uniform Crime Report) on forms and in the format required by the Pennsylvania State Police.

(b) Publishing and distributing reports.—Each institution of higher education shall publish and distribute a report which shall be updated annually and which shall include the crime statistics as reported under subsection (a) for the most recent three-year period. Crime rates shall also be included in the report. The crime rates reported shall be based on the numbers and categories of crimes reported under subsection (a) and the number of full-time equivalent undergraduate and graduate students (FTES) and full-time equivalent employees at the institution of higher education. Upon request, the institution shall provide the report to every person who submits an application for admission to either a main or branch campus and to each new employee at the time of employment. In its acknowledgment of receipt of the formal application of admission, the institution shall notify the applicant of the availability of such information. The information shall also be provided on an annual basis to all students and employees. Institutions with more than one campus shall provide the required information on a campus-by-campus basis.

(c) Security policies and procedures.—Each institution of higher education shall provide to every person who submits an application for admission to a main or branch campus, to every new employee at the time of employment, and annually to all students and employees information regarding the institution’s security policies and procedures. Institutions with a main campus and one or more branch campuses shall provide the information on a campus-by-campus basis. Such information for the most recent school year shall include, but not be limited to, the following:

- (1) The number of undergraduate and graduate students enrolled.
- (2) The number of undergraduate and graduate students living in student housing.
- (3) The total number of nonstudent employees working on the campus.
- (4) The administrative office responsible for security on the campus.
- (5) A description of the type and number of security personnel utilized by the institution, including a description of their training.
- (6) The enforcement authority of security personnel, including their working relationship with State and local police agencies.

- (7) Policy on reporting criminal incidents to State and local police.
  - (8) Policy regarding access to institutional facilities and programs by students, employees, guests and other individuals.
  - (9) 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.
  - (10) A statement of policy regarding the possession, use and sale of alcoholic beverages.
  - (11) A statement of policy regarding the possession, use and sale of illegal drugs.
  - (12) A statement of policy regarding the possession and use of weapons by security personnel and any other person.
  - (13) Any policy regarding students or employees with criminal records.
  - (14) Security considerations used in the maintenance of campus facilities, including landscaping, groundskeeping and outdoor lighting.
  - (15) A description of the communication mediums used to inform the campus community about security matters as well as the frequency with which the information is usually provided.
- (d) Information in security policies.—Institutions which maintain student housing facilities shall include in the information required by subsection (c) the following:
- (1) Types of student housing available (on-campus, off-campus; single room, double, group; single sex, coed; undergraduate, graduate, married; etc.).
  - (2) Policies on housing assignments and requests by students for assignment changes.
  - (3) Policies concerning the identification and admission of visitors in student housing facilities.
  - (4) Measures to secure entrances to student housing facilities.
  - (5) Standard security features used to secure doors and windows in students' rooms.
  - (6) A description of the type and number of employees, including security personnel, assigned to the student housing facilities which shall include a description of their security training.
  - (7) The type and frequency of programs designed to inform student housing residents about housing security and enforcement procedures.
  - (8) Policy and any special security procedures for housing students during low-occupancy periods such as holidays and vacation periods.
  - (9) Policy on the housing of guests and others not assigned to the student housing or not regularly associated with the institution of higher education.

#### Section 4. Rules and regulations.

The State Board of Education may, in the manner provided by law, promulgate the rules and regulations necessary to carry out this act.

**Section 5. Enforcement.**

(a) **Action to compel compliance.**—Whenever the Attorney General has reason to believe that an institution of higher education is violating this act, the Attorney General may bring an action in the name of the Commonwealth against the institution to compel compliance.

(b) **Civil penalty.**—In any action brought by the Attorney General to compel compliance with this act, if the court finds that an institution of higher education is willfully violating this act or if any institution of higher education fails to promptly comply with an order of the court to comply with this act, the Attorney General, acting in the name of the Commonwealth, may recover on behalf of the Commonwealth a civil penalty not to exceed \$10,000.

**Section 6. Effective date.**

This act shall take effect as follows:

- (1) Section 4 of this act shall take effect immediately.
- (2) The remainder of this act shall take effect in six months.

APPROVED—The 26th day of May, A. D. 1988.

ROBERT P. CASEY