UNIVERSITY OF CALIFORNIA, MERCED
AUDIT AND ADVISORY SERVICES

February 3, 2023

To: Daniel T. Okoli, Vice Chancellor and Chief Operating Officer
Subject: Clery Act Compliance Internal Audit
Ref: UC Merced Audit Report No. M22A001

Internal Audit completed the audit of UC Merced's Clery Act Compliance as part of the fiscal year (FY) 2021 – 2022 Audit Plan.

Attached is the subject report. We appreciate the help we received from all personnel involved. If you have any questions, please feel free to contact me.

Respectfully reported,

Randy Schwantes
Internal Audit Director

cc   Alex Bustamante, Senior Vice President, and Chief Audit and Compliance Officer
        Juan Muñoz, Chancellor
        Luanna Putney, Associate Chancellor, and Chief of Staff
        Chou Her, Executive Director of Public Safety and Chief of Police
        Tamela Adkins, Clery Coordinator

UNIVERSITY OF CALIFORNIA, MERCED
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Clery Act Compliance Internal Audit Report
Audit No. M22A001

February 3, 2022

Conducted By:

Shelton Autry, Senior Internal Auditor

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I.   MANAGEMENT SUMMARY

As part of the University of California, Merced (UC Merced) 2021 – 2022 fiscal year internal audit plan, Internal Audit performed an audit of UC Merced's Clery Act compliance. The audit focused on the effectiveness of Clery Act Program and responsibilities of the Clery Coordinator in complying with UC policies and federal regulations.

In summary, we found the Clery Act Program is not sufficient to comply with federal regulations and lacks administrative capability. We concluded that most areas within the Clery Act Program need improvement. The following areas of needed improvement were noted in this audit:

Crime Statistics – UC Merced did not appropriately accumulate, and report crime statistics as required by the Clery Act. This resulted in a misclassification of a crime and difficulty in recreating the population of crimes reported in the Annual Security Report (ASR). This issue is discussed further in section V.1

Daily Crime Log – UC Merced did not maintain a current, accurate, and complete Daily Crime Log (DCL) as required by the Clery Act. This included several crimes not reported in the DCL and issues with reporting classifications. This issue is discussed further in section V.2

Annual Security Report – 3 required disclosures in the ASR were incomplete or missing. Further, distribution of the ASR to prospective students and employees was insufficient and lacking documented procedures. This issue is discussed further in section V.3

Campus Security Authorities – Campus Security Authorities (CSAs) are not tracked appropriately at UC Merced. The process to identify, track, and update CSAs does not exist and there are many individuals who should be CSAs, are unaware of their responsibilities, and have not been trained as required by UC Policy. This issue is discussed further in section V.4

Administrative Capability –UC Merced does not have the ability to adequately demonstrate their administrative capability in administering Clery Act compliance. This issue is discussed further in section V.5

We were also asked to assess the resources dedicated and reporting responsibility of the Clery Program and Clery Act compliance at other University of California campuses. It was noted that all campuses are split approximately 50/50 in reporting to Police or Compliance, and 50/50 in having 1 or more dedicated resource to Clery Act Compliance. See further information in the Appendix.

II.   BACKGROUND

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)

The Clery Act is a federal consumer protection statute that provides students, parents, employees, prospective students and employees, and the public with important information about public safety issues on America's college campuses. Each domestic institution that participates in the federal student financial aid programs under Title IV of the Higher Education Act must comply with the Clery Act. The institution must certify that it

will comply with the Clery Act as part of its Program Participation Agreement to participate in the Title IV, federal student financial aid programs.

The Clery Act requires institutions to produce and distribute an Annual Security Report (ASR) containing its campus crime statistics. Statistics must be included for specific Clery crimes against persons and property that occur in buildings or on grounds that are owned or controlled by the institution or recognized student organizations, as well as on adjacent and accessible public property. These crimes are deemed to have been reported anytime such an offense is brought to the attention of an institution's campus police or security department, a local or State law enforcement agency of jurisdiction, or another campus security authority (CSA).

A CSA is any institutional official who is: 1) designated to receive reports of crime and/or student or employee disciplinary infractions, such as Human Resources and Alternative Dispute Resolution professionals, and/or 2) has significant responsibilities for student life or activities, such as residential life staff, student advocacy and programming offices, as well as athletic department officials and coaches. The ASR also must include several statements of policy, procedure, and programmatic information regarding important issues of student safety and crime prevention. The Clery Act also requires institutions to maintain a daily crime log (DCL) that is available for public inspection, and to issue timely warnings and emergency notifications to provide up-to-date information about ongoing threats to the health and safety of the campus community. In addition, the Clery Act requires institutions to develop emergency response and evacuation plans.

Institutions that maintain student residential facilities must also develop missing student notification procedures and produce and distribute an Annual Fire Safety Report (AFSR) containing fire statistics and important policy information about safety procedures, fire safety and suppression equipment, and what to do in the case of a fire. Finally, the Clery Act amendments that were included in Section 304 of the Violence Against Women Reauthorization Act of 2013 went into effect on July 1, 2015. These provisions are aimed at preventing campus sexual assaults and improving the response to these crimes when they do occur.

On April 20, 2022, the U.S. Department of Education (DOE) increased fines for violating the Jeanne Clery Act from $59,017 to $62,689. The DOE has the discretion to fine an institution up to $62,689 for each violation noted in a program review audit. For example, in 2019 DOE published its Clery Act review of the University of California, Berkeley (Berkeley), which identified multiple violations. In 2020 Berkeley agreed to pay $2.35 million in total fines because of the Clery Act violations that DOE identified.

Based on the findings in this limited scope UC Merced Clery Act audit a possible fine amount could be several million dollars but cannot be reasonably estimated by Internal Audit as the fine amounts are at the full discretion of the DOE.

DOE Handbook

The DOE has published guidance to assist institutions in meeting Clery Act requirements. That guidance is contained in a document published in 2020 called *Clery Act Appendix for FSA Handbook* (DOE handbook). However, it is noted that this handbook does not have the force and effect of law and is not meant to bind the public. The document is intended only to provide clarity to the public regarding existing requirements under the applicable statutory and regulatory provisions.

University of California Clery Act Policy – Campus Safety and Security Reporting (UC Clery Act Policy)

The systemwide Clery policy is currently under revision at the Office of the President with expected changes to the definition of a CSA. Following are current policy requirements as of the date of this report:

The UC Clery Act policy requires UC Merced to implement the following responsibilities:

- Have procedures that allow for students and employees to notify the University of crimes voluntarily and anonymously that occur on and around Campus
- Designate, notify, and train a Clery Coordinator/Officer
- Identify, notify, and train all Campus Security Authorities (CSAs)
- Ensure that there are local implementing procedures in place to comply with the Clery Act

Clery Coordinator responsibilities includes at least 14 different responsibilities per the UC Clery Act Policy. This includes the following summarized responsibilities:

- Compile and report Clery Act crime statistics
- Publish and distribute the ASR
- Identify and train CSAs
- Coordinate with campus units on Clery Act responsibilities

CSA responsibilities include the following:

Reporting, immediately or as soon as reasonably practicable (to the campus police department and/or the Campus Clery Coordinator/Officer) any Clery Act crimes or incidents which they have been made aware, or witnessed, including information regarding:
- when the crime or incident occurred,
- when the crime or incident was reported,
- where the crime or incident occurred, and
- the nature or description of the crime or incident.

Daily Crime Log

The Clery Act requires UC Merced to maintain daily logs of all crimes reported to them, including both Clery reportable crimes and crimes that are not reportable under the Clery Act, such as petty theft. The purpose of an institution's crime log is to provide crime information on a timelier basis than the ASR. Institutions must enter all reported crimes in their crime logs within two business days of the reports being made to campus police or security departments, unless disclosure of such information is prohibited by law or would jeopardize the confidentiality of the victims. According to federal law, the institutions must make these daily crime logs available to the public for the most recent 60-day period.

UC Learning Center (UCLC)

The UC's training management system is used to sign up for training and keep track of trainings completed. This system is where CSAs take their required training under UC Policy. Required CSA training needs to be completed at least once every two years.

Advocate

Advocate is the system used by Housing & Residence Life for case management and reporting. This system houses all the data within Housing & Residence Life and is used to track Clery Act referrals and crimes reported to Housing & Residence Life. Currently, Clery Act referrals and crimes from Advocate are provided to the Clery Act Coordinator once a year.

Clery Act Compliance Committee

The Clery Act Coordinator at UC Merced leads a Clery Act Compliance Committee that meets at least once a year to accumulate the necessary information and stats for the ASR. This group is comprised of several different individuals and departments on Campus that share responsibility for Clery Act compliance.

Sunridge RIMS

Sunridge RIMS is the Records and Case Management System for the UC Merced Police Department (UC Merced PD). This system tracks and reports all crimes for UC Merced PD. This system includes specific Clery functionality to report crimes for Clery purposes.

III. PURPOSE, OBJECTIVES AND SCOPE

The purpose of the audit was to verify that adequate processes, procedures, and internal controls are in place to assure compliance with the Clery Act.

The audit scope included review of the following:

- Overall Clery Act compliance process and procedures
- 2021 Annual Security Report (ASR) including crime statistics and daily crime logs from 2018-2020.
- 2018-2020 Emergency Response & Evacuation Procedures
- CSA identification, monitoring, and training processes

The following audit objectives were included in the review.

- **Annual Security Report** (ASR)- Verify compliance with federal regulations and the UC Clery Act Policy in coordinating the preparation, review, and distribution of the ASR. Verify that the 2021 ASR includes appropriate policies and programs as required by the Clery Act and included crime statistics are appropriately reported in compliance with the Clery Act. Verify the Clery Geography in the 2021 is accurate and complete.

- **Daily Crime Log (DCL)** - Verify that the DCL appropriately and timely reports crimes that occur in Clery Geography.

- **Timely Warning and Emergency Notifications** - Verify that the process for Timely Warnings is appropriate and occurs as necessary. Validate that required testing is completed and documented as required per the Clery Act.

- **Campus Security Authorities (CSAs)** - Verify the process for identifying and training CSAs is appropriate, effective and has the required documented procedures and internal controls.

- **Clery Act Reporting Structure** – It was requested that Internal Audit review the effectiveness and appropriateness of the responsibility for Clery Act program reporting at UC Merced. Currently the program is led by a .10 Full-Time Equivalent Clery Coordinator in the Police Department. We will review this reporting structure against other UC locations and similar universities.

- **Administrative Capability** - Verify the Campus has the capability to adequately administer the Clery Program. The standard for administrative capability is defined as follows by the Department of Education:

  The standards of administrative capability require that an institution employ "an adequate number of qualified persons," as well as ensure that program activities are undertaken with appropriate "checks and balances in its system of internal controls." 34 C.F.R. §668.16(b)(2); 34 C.F.R. §668(c)(l). These standards apply to all aspects of the Title IV Program regulations, including the Clery Act.

To accomplish the audit objectives and scope as documented above, Internal Audit performed the following procedures:

- Reviewed current processes for completing the ASR, DCL, and overall compliance with the Clery Act.
- Reviewed the 2021 ASR for required policy statements and programs.
- Reviewed a sample of crime statistics from the 2021 ASR for appropriate reporting in the ASR, the daily crime log, and possible emergency notifications.
- Reviewed the CSA process for appropriate compliance with the Clery Act and the UC Clery Act Policy
- Performed data analytics to identify individuals who may be CSAs, but have not been identified and trained as required by the UC Clery Act Policy
- Interviewed the Clery Act Coordinator to understand the UC Merced Clery Act processes, procedures, and internal controls.

IV. CONCLUSION

The UC Merced Clery Program lacks administrative capability and has several areas that need improvement. Areas needing improvement and/or corrective action include:

- crime reporting,
- daily crime log,
- annual security report,
- overall campus security authority process,
- administrative capability.

Observation details were discussed with management, who formulated action plans to address the issues. Details are presented below.

V. OBSERVATIONS AND MANAGEMENT CORRECTIVE ACTIONS

1. *Crime Statistics*

   Background

   The Clery Act requires that UC Merced disclose crime statistics for the three most recent calendar years concerning Clery crimes that occurred on campus, in or on non-campus buildings or property, and on public property.

Clery Act crimes are defined in *Appendix A to Subpart D of the Clery Act's General Provisions Regulations 34 C.F.R. §668.46(c)(7).*

Clery Act crimes at UC Merced are accumulated by the Police Records Supervisor for reporting in the ASR. This process includes crimes reported throughout the year to UC Merced PD and CSAs. Drug and alcohol referrals are reported once a year from Housing & Residence Life. Confirmation of other Clery Act crimes with several other UC Merced departments occur during the Clery Act Compliance Committee meetings.

After these crime statistics are accumulated the Police Records Supervisor and their team add all potential Clery Act crimes into a folder and manually count each crime to be reported in the ASR. There is currently no documented review process for evaluating potential Clery Act crimes for inclusion in the ASR.

Internal Audit selected 27 crimes from the 2018-2020 Clery Act folders and 6 crimes from UC Merced PD records.

Observation

The UC Merced Clery Program did not appropriately accumulate crime statistics for each calendar year we reviewed. This includes the following issues:

- Crime statistics and supporting documentation was kept in a folder for each separate calendar year we reviewed. Internal Audit could not recreate the listing of all crimes reported in the ASR. We noted Clery Act crimes were not consistently included in the folder and non-Clery Act crimes were included in the Clery Act folder.
    - Of the crimes we selected from the Clery Act folder 4 or 15% of the crimes were not Clery Act crimes.
    - Of the crimes we selected from UC Merced PD records 2 or 33% of the crimes were Clery Act crimes.
- We noted one crime selected from 2018 had the following issues:
    - Reported as fondling, but should have been reported as rape
    - Reported as both domestic and dating violence, but should have been reported as only domestic violence

Recommendation

The UC Merced Clery Program should reevaluate how they accumulate and count crime statistics to ensure the process is repeatable, easily followed and accurately reflects Clery Act crime categories. This should include a process that is less manual and has a documented review process for Clery crimes to ensure appropriate reporting of crimes in the ASR.

Management Corrective Action

- By March 1, 2023 UC Merced Clery Program will codify the process to:
    - Receive reports
    - Review for Clery crime statistic classification
    - Determine if the crime is countable
    - Retain supporting documents that easily connect each statistic to a corresponding report.
- By March 1, 2023 UC Merced Clery Program will implement processes to ensure independent secondary review to verify Clery crime classification.

2. *Daily Crime Log (DCL)*

Background

The Clery Act requires that UC Merced maintain a written, easily understood DCL that lists all reported crimes that occur on Clery Act geography. This reporting requirement applies to all crimes, not merely those crimes listed in *34 C.F.R. §668.46(c)(I).*

The DCL must show the following required elements: 1) the date on which the crime was reported; 2) date and time the crime occurred; 3) nature of the crime; 4) general location of the crime, and 5) the disposition of the complaint, if known. An entry or a change in the disposition of a complaint must be recorded within two business days of the information being reported to the campus police or the campus security department. The crime log must be kept up to date and made accessible to any requestor during normal business hours *(34 C.F.R. §668.46(f)).*

UC Merced makes available a hard copy log with all required elements for all crimes that occur in Clery Act geography. The DCL is held at UC Merced PD and should include all crimes reported to UC Merced PD or CSAs.

UC Merced also keeps a 'Daily Activity Log' that includes all UC Merced PD activity from Sunridge RIMS and is updated daily. However, this is not considered the DCL that is kept in hard copy at UC Merced PD.

Observation

The UC Merced Clery Program did not comply with DCL requirements for each calendar year we reviewed. This includes the following issues for the 27 Clery crimes we reviewed:

- 5 or 19% had no documented record of being included in the DCL
- 3 or 11% reported to the Clery Coordinator by the CSA were late
  - Office for the Prevention of Harassment and Discrimination - 2 crimes reported late, 13 and 17 days
  - Housing & Residence Life - 1 crime reported late, over 9 months after occurrence
- 4 or 15% were reported to the DCL after the 48-hour required timeline
  - Days late ranged from 2 to 13
- 8 or 30% had no clear documentation of the date the crime was posted to the DCL
- 9 or 33% had incorrect locations for the crime in the DCL
- 4 or 15% were reported as 'Unfounded' in the DCL, but not in the ASR

For the 2021 ASR, 78 drug and alcohol referrals were reported in 2019, but not submitted to the Clery Coordinator until September 2021 by CSAs outside of the Police Department. These referrals should have been reported in the 2020 ASR, but due to the late reporting inflated the referrals for the 2021 ASR.

Management noted all incorrect locations were reported differently for confidentiality and that locations are dependent on the information added to Sunridge RIMS by the dispatcher and/or police officer.

Recommendation

We recommend that UC Merced Clery Program develop the following:

- An integrated DCL that includes crimes reported to UC Merced PD and other CSAs
- A document management system to better track when a Clery crime is added to the DCL
- Training of users of Sunridge RIMS to better categorize Clery Crimes to ensure appropriate classification
- Confidentiality process to evaluate Clery Crimes for confidential treatment. This should include a robust structure in evaluating these cases and a documented review process

Management Corrective Action

- The UC Merced Clery Program asserts that the existing CAD/RMS system provides the ability to produce an integrated DCL that includes crimes reported to UC Merced PD and other CSAs.
- By March 1, 2023, UC Merced Clery Program will codify the process for including CSA crimes in the DCL.
- By March 1, 2023 Public Safety will review training needs for those responsible for reviewing and counting Clery reported crimes.
- By March 1, 2023, UC Merced Clery Program will codify existing confidentiality processes for evaluation and report review.

3. *Annual Security Report*

Background

The Clery Act requires that UC Merced must, by October 1 of each year, publish and distribute to its current students and employees, a comprehensive Annual Security Report (ASR) that contains, at a minimum, all the statistical and policy elements enumerated in *34 C.F.R. §668.46(b).*

The ASR must be published and actively distributed as a single document. Acceptable means of delivery include US. Mail, hand delivery or campus mail distribution to the individual, or posting on the institution's website. If the institution chooses to distribute its report by posting to an internet or intranet site, the institution must, by October 1 of each year, distribute a notice to all students and employees that includes a statement of the report's availability, its exact electronic address, a description of its contents, and an advisement that a paper copy will be provided upon request *(34 C.F.R. §668.41 (e)(l))*. These regulations also require institutions to provide a notice containing this information to all prospective students and employees. This notice must also advise interested parties of their right to request a paper copy of the ASR and to have it furnished upon request (*34 C.F.R. §668.41 (e)(4))*.

The ASR also must include several policy statements. These disclosures are intended to inform the campus community about the institution's security policies, procedures, and the availability of programs and resources, as well as channels whereby victims of crime may seek recourse.

Observation

Policy Statements:

Internal Audit reviewed all required policy statements from the Clery Act for inclusion in the 2021 UC Merced ASR. We noted the following missing or inadequate policy disclosures:

- Policies Concerning the Daily Crime Log and Crime Reporting
  - No mention of required policy to make most recent 60 day period DCL open to the public and that any portion of the log older than 60 days must be available within two business days of a request

- o No mention of the required policy that a crime log must be updated and available for inspections no later than two business days after new information is received
- Policies Concerning Campus Emergency Response and Evacuation Procedures
  - o Required policy concerning the annual Emergency Response and Evacuation Procedure is incomplete and requires additional information.

We also noted the policy statement from the 2021 ASR on the DCL incorrectly identified the online Daily Activity Log on the UC Merced PD website as the DCL. Upon discussion with UC Merced PD, it was noted that the only DCL is held as a physical copy available upon request at UC Merced PD.

Distribution of ASR:

According to the Clery Act procedures notification to prospective students and employees occurs at relevant UC Merced department's webpages (Human Resources for employees and Registrar for students).

Upon inspection of the Human Resources and Registrar webpages we noted both included the 2019 ASR. These webpages should have included the 2021 ASR according to UC Merced procedures.

Recommendation

We recommend that the Clery Coordinator ensure that the missing and/or incomplete policy statements are updated in the 2022 ASR.

We also recommend that the UC Merced Clery Program evaluate the distribution of ASR process to prospective employees and students to ensure it is adequate and that references to an ASR is updated and accurate.

Management Corrective Action

- By July 31, 2023, the Clery Coordinator will partner with ECAS to request and track the collection of policies for the Annual Security Report.
- By February 1, 2023, UC Merced Clery Program will develop an annual checklist for the distribution of the ASR.

4. *Campus Security Authorities*

Background

The Clery Act and UC Policy requires UC Merced to identify individuals or organizations, known as Campus Security Authorities (CSAs), to provide an expanded process of reporting crimes for the purpose of crime statistics and the issuance of timely warnings.

To comply with these requirements, UC Merced must develop a system that allows for the collection of incidents of crimes reported to any CSA (*34 C.F.R. §668.46(c)(2))*. The Clery Act defines a CSA as a campus police department or campus security department of an institution, as well as any individuals who have significant responsibility for student and campus activities, including, but not limited to athletics, student housing, student conduct, and programming offices *(34 C.FR. §668.46(a))*.

UC Policy specifically requires that all CSAs receive appropriate training.

Observation

We noted no developed procedures to identify, track, and review CSAs at UC Merced. The only support available to identify the current CSAs at UC Merced was a training list from the UC Learning Center. However, no procedures existed for updating this list for changes with CSAs or a review of separate support to ensure the list of CSAs is current, accurate, and complete.

Internal Audit took the list of CSAs from the UC Learning Center as of January 1, 2021 and compared this to employee records as of January 1, 2022. Based on that list we identified 4 departments that most likely met the significant responsibility requirement to be identified as a CSA. Based on our comparison we noted the following number of individuals who may need to be identified as a CSA:

Department	Total	Trained	Not Trained	Not Trained %
Resident Education	70	65	5	7%
Protective Services	51	45	6	12%
Office of Leadership Services	16	13	3	19%
Athletics & Recreation	51	21	30	59%

The above identification of missing CSAs may not be completely accurate because identification of a CSA must occur at the job description level, however this provides evidence that there are some individuals on Campus who should be identified and trained as a CSA. Further, we noted 22 of the 30 not trained individuals in Athletics & Recreation have a job title of coach or trainer and we would expect these individuals to be CSAs.

Recommendation

We recommend the UC Merced Clery Program work with Human Resources to develop a CSA process that starts at the job description level to appropriately and timely identify CSAs. This should include a listing of CSAs that is held outside of the list of trained CSAs so that comparisons can occur with the CSA training list to assess completeness and accuracy.

Management Corrective Action

- By June 30, 2023, UC Merced Clery Program will partner with ECAS and HR to build out a process for Job Descriptions designated as CSAs to populate in UCLC for training.
- By March 30, 2023, UC Merced Clery Program will work with ECAS and the Clery Compliance Work Group and departments to update the existing CSA list and add newly identified CSAs to UCLC.
- By June 30, 2023, UC Merced Clery Program will partner with HR to develop a process to identify CSA's that are training and those that still need training.

5. *Administrative Capability*

Background

The DOE requires UC Merced ensure a standard of administrative capability. According to federal regulations this is defined as an institution employing **"an adequate number of qualified persons"** as well as a prescription that regulated activities are undertaken with appropriate **"checks and balances in its system of internal controls."** *(34 C.F.R. §668.16(b)(2); 34 C.F.R.§668(c)(l)).*

An administratively capable institution also "has written procedures for or written information indicating the responsibilities of the various offices with respect to . . . the preparation and submission of reports to the Secretary." (*34 C.F.R. §668.16(b)(4)).*

Currently, the Clery Program at UC Merced is led by the Clery Coordinator. This individual devotes approximately 10% of their time to running the Clery program. The remaining time is spent in their role within UC Merced PD. The Clery Coordinator chairs the Clery Act Compliance Committee, which assumes responsibility for updating and publishing the ASR. This is accomplished through several meetings in the summer before the ASR is due and requires significant coordination amongst several different departments on Campus with review and approval from executive leadership.

Observation

We noted that the Clery Coordinator adequately runs the program as designed and documented, however the following issues are noted in reviewing the current construct of the program:

- Some departments that are invited to attend the Clery Act Compliance Committee meetings do not regularly attend
- Meetings occur a few months before the ASR is due. Changes to Clery Geography or policy may not be known by the Clery Coordinator until several months after they occur
- There is no documented review of Clery Crime statistics outside of review within UC Merced PD
- The current program focuses heavily on the ASR, and has led to the issues noted in the preceding observations

All the observations in this report provide evidence for the failure to demonstrate the requisite administrative capability expected of UC Merced.

Recommendation

We recommend the UC Merced Clery Program document all processes and procedures to administer the Clery Act Compliance program. This should include levels of independent review throughout the entire process. More frequent coordination should occur with key departments on Campus to ensure information that impacts Clery is reported to the Clery Coordinator timely.

Management Corrective Action

- By July 31, 2023, UC Merced Clery Program will document all processes and procedures to administer the Clery Act Compliance Program including levels of independent review throughout the entire process.
- By March 1, 2023, UC Merced Clery Program will provide a series of presentation dates to remind key departments of their Clery Act Compliance responsibilities.
- By March 1, 2023, UC Merced Clery Program will set up meetings with campus groups involved with lease or receive donated real estate and stress the importance of their Clery reporting mandates related to geography.

VI.   APPENDIX

Internal Audit was asked to consider the reporting structure and dedicated resources to the Clery Program and Clery Act compliance at all campuses in University of California. We obtained a survey of all Clery Coordinators completed as of September 3, 2021. See table below with all information obtained.

An individual noted as 0.5 FTE means part-time. This does not equate to spending 50% of their time on Clery Act compliance, but rather represents that the individual has other responsibilities. For example, per the UC Merced Clery Coordinator they spend 10% of their time on Clery Act compliance.

Institution	FTE	Reporting
UCB	3	Police
UCOP	2	Compliance
UCSB	1	Compliance
UCSD	1	Compliance
UCI	1	Police
UCSC	0.5	Police
UCSF	0.5	Police
UCM	0.5	Police
UCLA	0.5	Police
UCR	0.5	Compliance
UCD	0.5	Compliance

It should be noted that there does not appear to be a best practice for reporting structure for Clery Programs. Success of programs appear to be based on how Clery coordinators collaborate and coordinate key Clery activities across campuses. Administrative capability is key to allow Clery coordinators to fully collaborate with key Clery stakeholders across campus, communicate expectations, monitor program activities and drill down on report content to ensure it is current, accurate, complete, and operating as designed and reported.

Internal Audit also investigated treatment of Clery Act compliance at the California State University System. According to *California State University Executive Order 1107* each Campus President shall designate a director for Clery Act compliance that cannot be a member of the University Police Department. This is like UC Policy in that UC Merced must designate a Clery Coordinator, however there is no restriction to reporting to UC Merced PD under UC Policy.