

CHAPTER 33. COLLEGE AND UNIVERSITY SECURITY

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Source

The provisions of this Chapter 33 adopted March 14, 1969; reserved April 30, 1982, effective May 1, 1982, 12 Pa.B. 1389; adopted September 6, 1991, effective November 6, 1991, 21 Pa.B. 3989, unless otherwise noted.

Cross References

This chapter cited in 22 Pa. Code § 42.71 (relating to recodification).

§§ 33.1—33.3. [Reserved].**Source**

The provisions of these §§ 33.1—33.3 amended June 30, 1978, effective July 1, 1978, 8 Pa.B. 1755; reserved April 30, 1982, effective May 1, 1982, 12 Pa.B. 1389. Immediately preceding text appears at serial pages (39533) to (39534).

§§ 33.11—33.14. [Reserved].**Source**

The provisions of these §§ 33.11—33.14 amended June 30, 1978, effective July 1, 1978, 8 Pa.B. 1755; reserved April 30, 1982, effective May 1, 1982, 12 Pa.B. 1389. Immediately preceding text appears at serial pages (38534) to (38535).

§ 33.21. [Reserved].**Source**

The provisions of this § 33.21 amended August 3, 1973, effective August 4, 1973, 3 Pa.B. 1470; amended June 30, 1978, effective July 1, 1978, 8 Pa.B. 1755; reserved April 30, 1982, effective May 1, 1982, 12 Pa.B. 1389. Immediately preceding text appears at serial page (38536).

§§ 33.22—33.24. [Reserved].**Source**

The provisions of these §§ 33.22—33.24 amended June 30, 1978, effective July 1, 1978, 8 Pa.B. 1755; reserved April 30, 1982, effective May 1, 1982, 12 Pa.B. 1389. Immediately preceding text appears at serial pages (38536) to (38537).

§ 33.31. [Reserved].**Source**

The provisions of this § 33.31 amended August 10, 1973, effective August 11, 1973, 3 Pa.B. 1501; amended June 30, 1978, effective July 1, 1978, 8 Pa.B. 1755; reserved April 30, 1982, effective May 1, 1982, 12 Pa.B. 1389. Immediately preceding text appears at serial page (38537).

§§ 33.32 and 33.33. [Reserved].**Source**

The provisions of these §§ 33.32 and 33.33 amended June 30, 1978, effective July 1, 1978, 8 Pa.B. 1755; reserved April 30, 1982, effective May 1, 1982, 12 Pa.B. 1389. Immediately preceding text appears at serial pages (38537) to (38538).

§§ 33.41 and 33.42. [Reserved].**Source**

The provisions of these §§ 33.41 and 33.42 amended August 10, 1973, effective August 11, 1973, 3 Pa.B. 1501; amended June 30, 1978, effective July 1, 1978, 8 Pa.B. 1755; reserved April 30, 1982, effective May 1, 1982, 12 Pa.B. 1389. Immediately preceding text appears at serial page (38538).

§ 33.43. [Reserved].**Source**

The provisions of this § 33.43 amended June 30, 1978, effective July 1, 1978, 8 Pa.B. 1755; reserved April 30, 1982, effective May 1, 1982, 12 Pa.B. 1389. Immediately preceding text appears at serial page (42218).

§ 33.51. [Reserved].**Source**

The provisions of this § 33.51 amended June 30, 1978, effective July 1, 1978, 8 Pa.B. 1755; amended March 23, 1979, effective March 24, 1979, 9 Pa.B. 1069; reserved April 30, 1982, effective May 1, 1982, 12 Pa.B. 1389. Immediately preceding text appears at serial page (42218).

§ 33.52. [Reserved].**Source**

The provisions of this § 33.52 amended June 30, 1978, effective July 1, 1978, 8 Pa.B. 1755; reserved April 30, 1982, effective May 1, 1982, 12 Pa.B. 1389. Immediately preceding text appears at serial pages (42218) to (42219).

§ 33.53. [Reserved].**Source**

The provisions of this § 33.53 amended August 10, 1973, effective August 11, 1973, 13 Pa.B. 1501; amended June 30, 1978, effective July 1, 1978, 8 Pa.B. 1755; amended July 14, 1978, effective July 15, 1978, 8 Pa.B. 2001; amended April 27, 1979, effective July 1, 1979, 9 Pa.B. 1399; reserved April 30, 1982, effective May 1, 1982, 12 Pa.B. 1389. Immediately preceding text appears at serial pages (42219) to (42220).

§ 33.54. [Reserved].**Source**

The provisions of this § 33.54 amended August 10, 1973, effective August 11, 1973, 3 Pa.B. 1501; amended June 30, 1978, effective July 1, 1978, 8 Pa.B. 1755; reserved April 30, 1982, effective May 1, 1982, 12 Pa.B. 1389. Immediately preceding text appears at serial page (42220).

§ 33.55. [Reserved].**Source**

The provisions of this § 33.55 amended August 10, 1973, effective August 11, 1973, 3 Pa.B. 1501; reserved June 30, 1978, effective July 1, 1978, 8 Pa.B. 1755. Immediately preceding text appears at serial page (30501).

GENERAL PROVISIONS**§ 33.101. Purpose.**

This chapter governs the responsibility of institutions of higher education to comply with the act. This chapter applies to independent institutions of higher education, community colleges, member institutions of the State System and State-related institutions.

Authority

The provisions of this § 33.101 issued under Article XXVI-B of the Public School Code of 1949 (24 P. S. §§ 26-2601-B—26-2606-B); and the College and University Security Information Act (24 P. S. §§ 2502-1—2502-5).

Source

The provisions of this § 33.101 adopted September 6, 1991, effective November 6, 1991, 21 Pa.B. 3989.

§ 33.102. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Act—The College and University Security Information Act (24 P. S. §§ 2502-1—2502-5).

Applicant—A person who has submitted an application for admission to be a student at an institution of higher education, or who has applied to transfer from one branch campus of an institution to another branch campus of the same institution.

Branch campus—The meaning under § 34.1 (relating to identity).

Crime rate—The numbers and categories of crimes reported to the State Police per 100,000 full-time equivalent students and employees.

Crime report—An annual report comprised of the institution's crime rates and statistics for the most recent 3-year period.

Crime statistics—The numbers and categories of crimes reported to the State Police.

Criminal incident—Offenses identified by the State Police under the *Federal Uniform Crime Reporting Handbook*.

Employee—A person employed by an institution of higher education on a regular part-time or full-time basis. Student employees who are counted as part of the FTE student population will not be considered employees of the institution of higher education for purposes of this chapter.

FTE—Full-time equivalent.

Institution of higher education—An independent institution of higher education, a community college, a State-related institution or a member institution of the State System.

Student—A person matriculated into a degree or non-degree program of study. The term does not include a person participating in noncredit programs or correspondence courses.

Authority

The provisions of this § 33.102 issued under Article XXVI-B of the Public School Code of 1949 (24 P. S. §§ 26-2601-B—26-2606-B); and the College and University Security Information Act (24 P. S. §§ 2502-1—2502-5).

Source

The provisions of this § 33.102 adopted September 6, 1991, effective November 6, 1991, 21 Pa.B. 3989.

Cross References

This section cited in 49 Pa. Code § 48.1 (relating to definitions); and 49 Pa. Code § 49.1 (relating to definitions).

CRIME REPORTING

§ 33.111. Reporting crime statistics and rates.

(a) *Reporting to the State Police.* Each institution of higher education shall annually report crime statistics and rates to the State Police in the form and manner required by the State Police, for publication in the Pennsylvania uniform crime report, *Crime in Pennsylvania*.

(b) *Reporting to students and employes.* Annually, each institution of higher education shall publish a crime report containing the crime statistics and crime rates for the most recent 3-year period. The report shall be distributed as required under § 33.112 (relating to distributing crime reports to students and employes). If the institution has more than one campus, the crime report shall include campus-by-campus crime statistics and rates, and the institution may distribute to students and employes the information applicable only to their campus or the information applicable to all of the institution's campuses.

(1) Crime statistics shall be reported substantially in the form and manner required by subsection (a).

(2) Crime rates shall be reported based on the numbers and categories of crimes reported under subsection (a) per 100,000 FTE students and employes.

(c) *Calculating FTE students and employes.* For purposes of this chapter, institutions of higher education shall use the number of FTE students reported to the Department under the Department's annual data collection procedures, and the number of FTE employes shall be the sum of the full-time employes and one-half the number of regular part-time employes as determined by the institution.

Authority

The provisions of this § 33.111 issued under Article XXVI-B of the Public School Code of 1949 (24 P. S. §§ 26-2601-B—26-2606-B); and the College and University Security Information Act (24 P. S. §§ 2502-1—2502-5).

Source

The provisions of this § 33.111 adopted September 6, 1991, effective November 6, 1991, 21 Pa.B. 3989.

Cross References

This section cited in 22 Pa. Code § 33.133 (relating to rule of construction).

§ 33.112. Distributing crime reports to students and employees.

Annually, the institution shall distribute an updated crime report for the most recent 3-year period to all its students and employees. An institution may choose to distribute the report separately or with other materials. The report shall be distributed to students and employees by mail or some other means determined by the institution. The method of distribution shall be reasonably designed to provide the report to all students and employees. The institution shall notify all students and employees of the method of distribution if other than mail.

Authority

The provisions of this § 33.112 issued under Article XXVI-B of the Public School Code of 1949 (24 P. S. §§ 26-2601-B—26-2606-B); and the College and University Security Information Act (24 P. S. §§ 2502-1—2502-5).

Source

The provisions of this § 33.112 adopted September 6, 1991, effective November 6, 1991, 21 Pa.B. 3989.

Cross References

This section cited in 22 Pa. Code § 33.111 (relating to reporting crime statistics and rates).

§ 33.113. Distributing crime reports to new employees and applicants.

(a) *Notification.* An institution of higher education shall notify applicants and new employees that they are entitled to receive the institution's most recent crime report. The applicant's notice shall be enclosed in the receipt of formal application of admission. The employee's notice may be enclosed in any official document reasonably calculated to reach the new employee.

(b) *Distribution.* Upon request, institutions of higher education shall distribute a complete crime report containing crime statistics and rates for the most recent 3-year period to new employees and applicants.

Authority

The provisions of this § 33.113 issued under Article XXVI-B of the Public School Code of 1949 (24 P. S. §§ 26-2601-B—26-2606-B); and the College and University Security Information Act (24 P. S. §§ 2502-1—2502-5).

Source

The provisions of this § 33.113 adopted September 6, 1991, effective November 6, 1991, 21 Pa.B. 3989.

SECURITY POLICIES AND PROCEDURES**§ 33.121. Security policies and procedures.**

(a) Each institution of higher education shall provide information regarding the institution's security policies and procedures to the following:

- (1) Every person who submits an application for admission to a main or branch campus.
- (2) Every new employe at the time of employment.
- (3) All students and employes annually.

(b) Institutions with a main campus and one or more branch campuses shall provide security information on a campus-by-campus basis, and the institution may distribute to students and employes the information applicable only to their campus or the information applicable to all of the institution's campuses. Security information for the most recent academic year shall include that which is required under section 3(c) of the act (24 P. S. § 2502-3(c)). The information provided under this section shall include a statement regarding the institution's responsibility to comply with the act and this chapter and a statement informing students and employes of the procedure for filing complaints and the campus official responsible for receiving and resolving complaints. Upon resolution of the complaint, the complaining party shall be informed that if he continues to believe that the act is being violated, the complaining party may file a complaint with the Office of Attorney General and shall be given the address of the Office of Attorney General.

Authority

The provisions of this § 33.121 issued under Article XXVI-B of the Public School Code of 1949 (24 P. S. §§ 26-2601-B—26-2606-B); and the College and University Security Information Act (24 P. S. §§ 2502-1—2502-5).

Source

The provisions of this § 33.121 adopted September 6, 1991, effective November 6, 1991, 21 Pa.B. 3989.

Cross References

This section cited in 22 Pa. Code § 33.122 (relating to student housing security policies and procedures).

§ 33.122. Student housing security policies and procedures.

Institutions of higher education which provide and maintain student housing facilities shall include in the information required under § 33.121 (relating to security policies and procedures) the information required under section 3(d) of the act (24 P. S. § 2502-3(d)).

Authority

The provisions of this § 33.122 issued under Article XXVI-B of the Public School Code of 1949 (24 P. S. §§ 26-2601-B—26-2606-B); and the College and University Security Information Act (24 P. S. §§ 2502-1—2502-5).

Source

The provisions of this § 33.122 adopted September 6, 1991, effective November 6, 1991, 21 Pa.B. 3989.

ASSURANCE OF COMPLIANCE**§ 33.131. Assurance of compliance.**

(a) Annually, on or before March 1, the president of each institution of higher education, or the president's designee, shall file with the Department an assurance statement attesting to the institution's compliance with the act and this chapter.

(b) The assurance statement under subsection (a) shall be completed as prescribed by the Department.

(c) The Department will submit to the Office of Attorney General the name of an institution which does not supply an assurance statement under this section.

(d) An institution of higher education shall make its published crime reports and security procedures available to the Office of Attorney General or the Department upon request.

Authority

The provisions of this § 33.131 issued under Article XXVI-B of the Public School Code of 1949 (24 P. S. §§ 26-2601-B—26-2606-B); and the College and University Security Information Act (24 P. S. §§ 2502-1—2502-5).

Source

The provisions of this § 33.131 adopted September 6, 1991, effective November 6, 1991, 21 Pa.B. 3989.

§ 33.132. Enforcement.

The Office of Attorney General, upon complaint or by referral of a complaint from the Department, may investigate the complaint and bring an action to compel compliance with the act.

Authority

The provisions of this § 33.132 issued under Article XXVI-B of the Public School Code of 1949 (24 P. S. §§ 26-2601-B—26-2606-B); and the College and University Security Information Act (24 P. S. §§ 2502-1—2502-5).

Source

The provisions of this § 33.132 adopted September 6, 1991, effective November 6, 1991, 21 Pa.B. 3989.

§ 33.133. Rule of construction.

This chapter does not obviate compliance with or excuse a person or an institution of higher education from failure to comply with the act between November 28, 1988 and November 6, 1991. The crime statistics and rates reported under § 33.111 (relating to reporting crime statistics and rates) will not be required to include information for a 3-year period until the report developed in 1992.

Authority

The provisions of this § 33.133 issued under Article XXVI-B of the Public School Code of 1949 (24 P. S. §§ 26-2601-B—26-2606-B); and the College and University Security Information Act (24 P. S. §§ 2502-1—2502-5).

Source

The provisions of this § 33.133 adopted September 6, 1991, effective November 6, 1991, 21 Pa.B. 3989.

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