

OFFICE OF THE STATE AUDITOR

DIANA DIZOGLIO

Official Audit Report – Issued November 4, 2024

Salem State University

For the period January 1, 2020 through December 31, 2022



OFFICE OF THE STATE AUDITOR

DIANA DIZOGLIO

November 4, 2024

John Keenan, President
Salem State University
352 Lafayette Street
Salem, MA 01970

Dear President Keenan:

I am pleased to provide to you the results of the enclosed performance audit of Salem State University. As is typically the case, this report details the audit objectives, scope, methodology, findings, and recommendations for the audit period, January 1, 2020 through December 31, 2022. As you know, my audit team discussed the contents of this report with university managers. This report reflects those comments.

I appreciate you and all your efforts at Salem State University. The cooperation and assistance provided to my staff during the audit went a long way toward a smooth process. Thank you for encouraging and making available your team. I am available to discuss this audit if you or your team have any questions.

Best regards,



Diana DiZoglio
Auditor of the Commonwealth

cc: Ruthanne Russell, Chair of the Board of Trustees of Salem State University
Dr. Noe Ortega, Commissioner of the Massachusetts Department of Higher Education

TABLE OF CONTENTS

EXECUTIVE SUMMARY	1
OVERVIEW OF AUDITED ENTITY	3
AUDIT OBJECTIVES, SCOPE, AND METHODOLOGY	10
DETAILED AUDIT FINDINGS WITH AUDITEE’S RESPONSE.....	15
1. Salem State University did not accurately report some required crime statistics in certain categories in its annual security report.	15
2. Salem State University did not properly identify and train campus security authorities.	21
APPENDIX A	25
APPENDIX B	26
APPENDIX C	28

LIST OF ABBREVIATIONS

ASR	annual security report
CFR	Code of Federal Regulations
Clery Act	Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act
CSA	campus security authority
OSA	Office of the State Auditor
SPD	Salem Police Department
SSU	Salem State University
SSUPD	Salem State University Police Department
US DOE	US Department of Education

EXECUTIVE SUMMARY

In accordance with Section 12 of Chapter 11 of the Massachusetts General Laws, the Office of the State Auditor has conducted a performance audit of Salem State University (SSU) for the period January 1, 2020 through December 31, 2022.

In this performance audit, we examined SSU's compliance with certain aspects of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), as amended. The Clery Act was enacted in 1990 to ensure that colleges and universities maintain transparency and accountability about crime prevention and response on their campuses. It requires educational institutions participating in federal student aid programs to publish an annual security report (ASR) that discloses campus crime statistics and security information.

Below is a summary of our findings, the effects of those findings, and our recommendations, with links to each page listed.

Finding 1 Page 15	SSU did not accurately report some required crime statistics in certain categories in its ASR.
Effect	If SSU inaccurately reports its Clery Act crime statistics, current and prospective students, SSU employees, and members of the public may draw incorrect conclusions about campus safety. Additionally, not complying with the Clery Act's ASR reporting requirements may result in SSU having to pay fines to the US Department of Education.
Recommendation Page 20	<p>SSU must make certain that all Clery Act crimes that occur within its Clery geography are accurately reflected in SSU's daily crime log and its ASR by establishing policies and procedures to ensure that the following occur:</p> <ul style="list-style-type: none">• cases are recorded accurately in SSU's daily crime log and the offense types are updated as needed;• the "Clery" checkbox in the SSU Police Department's (SSUPD's) case management system is always selected for Clery Act crimes;• SSUPD retains all supporting documentation for its Clery Act crime statistics, including case files provided by the Salem Police Department, for at least three years;• employees from the Resident Life and Student Life Departments accurately record disciplinary incidents in SSU's disciplinary action records management system; and• Clery Act crimes are accurately documented in SSU's disciplinary action records management system and reported to SSUPD so they can be properly investigated and included in SSU's ASR.

Finding 2 Page Error! <u>Bookmark not defined.</u>	SSU did not properly identify and train campus security authorities (CSAs).
Effect	If SSU does not properly identify and train all CSAs, SSU's ability to compile and report accurate annual crime statistics is limited and, with inaccurately reported crime statistics, current and prospective students, SSU employees, and members of the public may be misinformed or draw incorrect conclusions about campus safety.
Recommendations Page 23	<ol style="list-style-type: none">1. SSU should establish a process for its Human Resources Department and SSUPD to identify individuals who meet the definition of a CSA.2. SSU should maintain and regularly update a list of identified CSAs.3. SSU should notify identified CSAs and train them on their responsibilities as CSAs at least annually.

OVERVIEW OF AUDITED ENTITY

Salem State University (SSU) was established by Section 5 of Chapter 15A of the Massachusetts General Laws. SSU operates under the direction of an 11-person board of trustees, consisting of one student member elected by the student body, one alumni member elected by the alumni association, and nine members who are appointed by the Governor.

According to SSU's website,

The board is charged with the fiduciary management of the institution, including determination of fees, establishment of personnel management policy, staff services, and the general business of the institution. Among its responsibilities, the board elects the president with the approval of the Massachusetts Board of Higher Education, adopts an annual plan of financial operation, awards degrees in approved fields, and develops the mission statement for the university consistent with the mission of the Commonwealth's system of public higher education.

According to its website, SSU's mission is the following:

[SSU] prepares students of diverse backgrounds and interests to achieve their educational and career goals and to contribute to a global society as ethical and engaged community members. As a public university, [SSU] also makes critical contributions to civic life, environmental sustainability, and the cultural, social, and economic vitality of the North Shore region.

SSU is a member of the Massachusetts public higher education system, which consists of 15 community colleges, nine state universities, and five University of Massachusetts campuses. Founded in 1854, SSU is an accredited public institution that offers 32 undergraduate and 24 graduate programs. As of fall 2022, SSU had a total of 6,539 students, including 5,078 undergraduates and 1,461 graduates, and 1,320 employees.

In fiscal year 2021, SSU had operating revenues of \$94,150,699 and nonoperating revenues (state appropriation, federal assistance, and investment income) of \$82,992,599. In fiscal year 2022, SSU had operating revenues of \$99,415,616 and nonoperating revenues of \$87,592,138.

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

As a participant in federal student financial aid programs under Title IV of the Higher Education Act of 1965, SSU is required to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). The Clery Act is a federal law that requires institutions to disclose campus

crime statistics and other related security information in the form of an annual security report (ASR) to students and the public. The Clery Act was initially enacted as Title II of the Crime Awareness and Campus Security Act of 1990, which was signed into law as an amendment to the Higher Education Act of 1965. In 1998, this law was amended and renamed the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act in memory of a student who was raped and murdered in her dormitory at Lehigh University. In 2013, the act was amended to include statistics, policies, and programs related to domestic violence, dating violence, sexual assault, and stalking. The purpose of the Clery Act is to improve transparency and accountability in campus safety. Institutions covered by the Clery Act must comply with specific requirements outlined in the Clery Act Appendix for the *Federal Student Aid Handbook*,¹ including those listed in the table below.

Clery Act Requirements—The Basics

• Collect, classify, and count crime reports and statistics	
• Issue campus alerts and warning notices	• Publish an Annual Security Report (Due date: October 1)
• Disclose missing student notification procedures, when applicable	• Submit crime and fire statistics to the [US Department of Education], when applicable
• Disclose procedures for institutional disciplinary actions	• Provide educational programs and campaigns
• Keep a daily crime log, when applicable	• Disclose fire safety information, when applicable

Source: The 2020 Clery Act Appendix for the *Federal Student Aid Handbook*

The US Department of Education (US DOE) conducts compliance reviews and audits to ensure that all higher education institutions receiving federal funds adhere to the Clery Act and imposes fines on institutions that do not comply.

Daily Crime Log

All institutions of higher education with campus security or police departments, and which are subject to the Clery Act, must maintain a daily crime log of all crimes reported to them and any crimes that have occurred within an institution's Clery geography. Clery geography includes buildings and property that are part of an institution's campus (e.g., residence halls, classroom buildings, or cafeterias); an institution's noncampus buildings and property (e.g., institution-owned bookstores located off campus, apartment

1. The Federal Student Aid Handbook is a guide from the Federal Student Aid office published in individual volumes with information specific for students, their parents and/or guardians, and their institutions of higher education on eligibility, statutory, and regulatory requirements.

buildings owned or controlled by the institution, and fraternity- and sorority-owned chapter houses); and public property within or immediately adjacent to and accessible from an institution's campus (e.g., public streets, sidewalks, and parking lots). The SSU Police Department (SSUPD) maintains, controls, and monitors SSU's daily crime log. (See [Appendix A](#) for a map of SSU's Clery geography.)

According to the Clery Act, "The institution must make the crime log for the most recent 60-day period open to public inspection during normal business hours . . . [and] make any portion of the log older than 60 days available within two business days of a request for public inspection."

Clery Act crimes fall into four categories: (1) criminal offenses, such as murder, rape, statutory rape, robbery, or arson; (2) arrests and disciplinary action referrals for liquor law violations, drug law violations, or illegal weapon possession; (3) hate crimes, such as intimidation or simple assault motivated by bias; and (4) Violence Against Women Act offenses, which include domestic violence, dating violence, and stalking (see [Appendix B](#)). These crimes must be recorded based on the Clery geography categories of on-campus, noncampus buildings or property, or public property. SSU students, employees, and visitors report crimes that occur within SSU's Clery geography to SSUPD or a campus security authority (CSA) (see the "[Crime Reporting](#)" section of this report).

CSAs

According to No. 202 of Volume 79 of the *Federal Register*, dated October 20, 2014, CSA is a term used to define "an official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings." CSAs are required to report any Clery Act crimes to their campus security or police department,² such as SSUPD, regardless of whether the victim or witness decides to report it.

According to Section 668.46(a) of Title 34 of the Code of Federal Regulations, the following individuals meet the criteria for CSA:

- (i) *A campus police department or a campus security department of an institution.*
- (ii) *Any individual who has responsibility for campus security but does not constitute a campus police or a campus security department . . . such as an individual who is responsible for monitoring entrance into institutional property.*

2. Unlike campus security departments, campus police departments employ officers who possess the same powers, authority, and responsibilities as municipal police officers.

(iii) Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.

(iv) An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings.

SSU's definition of CSAs, included in its ASRs, also include positions such as a director of athletics, team coaches, student resident assistants, and coordinators of Greek Life as CSAs. US DOE relies on an institution's policies and procedures to correctly identify and notify CSAs of their responsibilities.

SSUPD is responsible for identifying CSAs, notifying CSAs of their responsibilities on an ongoing basis, and training CSAs annually. According to SSU officials, in 2015, SSU had a formal process for identifying CSAs, in which the SSUPD chief of police reviewed a list of employees and job titles to determine which individuals met the definition of a CSA and should have been required to attend SSUPD's CSA training. The SSUPD police captain then reviewed the list to confirm those determinations. However, according to the interim SSUPD chief of police, neither the SSUPD chief of police or the SSUPD police captain followed this process during the audit period; further, the process was discontinued because of issues with employee shortages and time commitments. SSUPD's chief of police provides multiple in-person CSA trainings at least annually. These CSA trainings are conducted using Microsoft PowerPoint presentations that are tailored to SSU CSAs based on their positions. The presentations cover the history and purpose of the Clery Act, various levels of Clery Act crimes, and methods of reporting these crimes. Attendees of SSUPD's CSA training mark their attendance on dated sign-in sheets.

ASR

Institutions of higher education subject to the Clery Act are required to publish an ASR that provides accurate information on campus crime statistics and security-related details for the three most recent calendar years. Institutions of higher education compile the crime statistics in accordance with definitions provided by the Federal Bureau of Investigation for use in the Uniform Crime Reporting Program. The table below details information that institutions of higher education must include in their ASRs in accordance with the Clery Act.

Required Contents of the ASR

1. Policies regarding alcoholic beverages and underage drinking laws	7. Policies regarding missing student notifications
2. Policies regarding illegal drugs and applicable federal and state drug laws	8. Campus crime statistics
3. Programs on substance [use]	9. Policies regarding procedures for reporting criminal actions or other emergencies on campus
4. Programs to prevent dating and domestic violence, sexual assault, and stalking, and the procedures institutions will follow when such crimes are reported	10. Policies on the security of and access to campus facilities
5. Information regarding sex offenders	11. Policies on enforcement authority of security personnel; working relationship of campus security personnel with State and local police agencies; accurate and prompt reporting of crimes; pastoral and professional counselors
6. Descriptions of emergency response and evacuation procedures	12. Programs on campus security procedures and practices

Source: The 2020 Clery Act Appendix for the *Federal Student Aid Handbook*

This report must be distributed to the entire campus community, including employees and current and prospective students, by October 1 of each year. The campus safety survey administrator must also submit the Clery Act crime statistics within the ASR to US DOE annually. SSU electronically submits campus crime statistics to US DOE, publishes its ASR on its website, and notifies SSU's campus community of the report through email annually.

Crime Reporting

SSU students, employees, and visitors may report alleged incidents, suspicious activities, or emergencies by contacting SSUPD in person or by telephone, or by reporting them to a different CSA. According to the Clery Act, a crime is considered reported when any person, including the victim, a witness, a third party, or an offender brings it to the attention of SSUPD, a different CSA, or a local law enforcement agency.

SSUPD is a fully operational police department with jurisdiction over the campus. SSUPD is equipped to handle the same types of crimes that municipal police agencies in cities or towns handle.³ All SSUPD police officers attend full-time police academies operated by the Municipal Police Training Committee and are certified by the Commonwealth of Massachusetts Police Officer Standards and Training Commission.

3. There are no jails or holding cells on SSU's campus. Individuals needing to be held are transported by SSUPD to the Salem Police Department or the Essex County Sheriff's Department.

When a person on SSU's campus calls for emergency services, the call goes to the Public Safety Answering Point in Middleton, which then redirects the call to a local law enforcement agency, which in this case is the Salem Police Department (SPD). Because SPD does not have jurisdiction over SSU geography, it transfers the call to SSUPD.

When SSUPD receives a notification of an alleged incident, its dispatcher creates a record of the report in SSUPD's case management system. The alleged incident is automatically assigned a case number, while the SSUPD dispatcher manually enters the location of the incident, the incident type, and the details of the alleged incident. When needed, the dispatcher assigns an SSUPD police officer to investigate the alleged incident. SSUPD's police captain marks a Clery Act checkbox in the case management system when an incident is determined to be a Clery Act crime. Marking the Clery Act checkbox helps SSU generate Clery Offense Reports, which are generic reports created by SSUPD's case management system that provides a summarized list and counts of all Clery Act crimes for SSUPD to accurately report Clery Act crime statistics in SSU's ASR.

If an individual, who is a CSA, from either the Resident Life or Student Life Departments witnesses or receives a report of an incident related to prohibited conduct (which may or may not be related to a crime), they are required to submit an incident report through SSU's disciplinary action records management system.⁴ Individuals can also report incidents or concerns to SSU's Resident Life or Student Life Departments through SSU's website (see [Appendix C](#)). The reporter must provide their contact information, along with the date, time, and location of the alleged incident, information about the involved parties, the type of alleged prohibited conduct, and details of the alleged incident. SSU's disciplinary action record management system automatically forwards the incident reports to relevant employees responsible for resident life, student conduct, campus Title IX⁵ compliance, athletics, academic integrity, etc., who determine whether a case should be opened. If a case is opened, the appropriate department is responsible for initiating an investigation and sanctioning and disciplining the involved parties.

4. This is a database used by the Resident Life and Student Life Departments to record and monitor disciplinary actions.

5. According to US DOE's website, "Title IX protects people from discrimination based on sex in education programs or activities that receive federal financial assistance."

SSU's disciplinary action records management system provides a standardized report, called a Clery Report, that summarizes and counts incidents that must be reported under the Clery Act. On an annual basis, SSU's associate dean of students generates the Clery Report and provides it to SSUPD, which uses the report to compile SSU's ASR.

Every year, SSUPD requests that SPD⁶ provide statistical information about Clery Act crimes that occurred at specific off-campus properties that SSU owns or controls (SSUPD has jurisdiction over properties within its Clery geography), in addition to public areas within or close to the campus that are easily accessible from campus. An SSUPD employee uses this information from SPD, the Clery Offense Report from SSUPD's case management system, and the Clery Report from SSU's disciplinary action records management system to create SSU's ASR. SSU publishes its completed ASR on its website annually.

According to SSUPD, during or around August of each year, US DOE sends a letter to SSU's president and SSUPD's chief of police that includes information on how to access US DOE's Campus Safety and Security Survey website. Through this website, SSUPD's chief of police submits crime statistics for the three most recent calendar years to US DOE.

6. Institutions must report and disclose all crimes that occur on or within their Clery geography and that are reported to local police agencies in their ASRs.

AUDIT OBJECTIVES, SCOPE, AND METHODOLOGY

In accordance with Section 12 of Chapter 11 of the Massachusetts General Laws, the Office of the State Auditor has conducted a performance audit of certain activities of Salem State University (SSU) for the period January 1, 2020 through December 31, 2022.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Below is a list of our audit objectives, indicating each question we intended our audit to answer; the conclusion we reached regarding each objective; and, if applicable, where each objective is discussed in the audit findings.

Objective	Conclusion
1. Did SSU include all required policies, procedures, and statements in its annual security report (ASR) in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) (Section 668.46[b–h] of Title 34 of the Code of Federal Regulations [CFR])?	Yes
2. Did SSU record all crimes within its Clery geography in a daily crime log and accurately report these crimes to the US Department of Education (US DOE) and in its ASR in accordance with the Clery Act (34 CFR 668.46[c][1] and [f][1])?	No; see Finding <u>1</u>
3. Did SSU have a process in place to ensure that it identified campus security authorities (CSAs) and that these employees completed training on their responsibilities as CSAs in accordance with the Clery Act (34 CFR 668.46[a])?	No; see Finding <u>2</u>

To accomplish our audit objectives, we gained an understanding of the aspects of SSU's internal control environment relevant to our objectives by reviewing applicable policies and procedures and by interviewing SSU officials.

To obtain sufficient, appropriate evidence to address our audit objectives, we performed the procedures described below.

ASR-Required Policies, Procedures, and Statements

To determine whether SSU included all required policies, procedures, and statements in its ASR in accordance with the Clery Act (34 CFR 668.46[b–h]), we inspected SSU’s ASRs for calendar years 2021, 2022, and 2023. These ASRs included Clery Act–required policies, procedures, and statements for the audit period, January 1, 2020 through December 31, 2022.

We noted no significant exceptions in our testing. Therefore, we concluded that SSU included all required policies, procedures, and statements in its ASRs.

ASR Clery Act Crime Statistics

To determine whether SSU recorded all crimes within its Clery geography in a daily crime log and accurately reported these crimes to US DOE and in its ASR in accordance with the Clery Act (34 CFR 668.46[c][1] and [f][1]), we took the actions described below.

We inspected SSU’s 2023 ASR and electronic submission to US DOE, which included Clery Act crime statistics for calendar years 2020 through 2022 (the audit period). We compared the Clery Act crime statistics published in SSU’s 2023 ASR to those that SSU submitted to US DOE to ensure that they matched.

To ensure that all cases from the daily crime log that must be reported under the Clery Act were included in the Clery Offense Report and reported in SSU’s 2023 ASR, we took the following actions:

- We obtained a list of all 1,534 cases from the daily crime log for the audit period from the SSU Police Department (SSUPD).
- We inspected this list to identify the total number of cases that fell within each of the four categories of Clery Act crimes (as described in the “Daily Crime Log” section of this report).
- We compared the total number of cases we identified as Clery Act crimes to the total number of Clery Act crimes SSU included in its Clery Offense Report and the 2023 ASR.
- We verified that all Clery Act crimes that SPD provided to SSUPD were included in SSU’s 2023 ASR.
- We followed up with SSUPD employees to ask about any variances we identified (i.e., crimes reported in SSU’s ASR but not on the daily crime log in accordance with Section 98F of Chapter 41 of the General Laws,⁷ crimes that are only reportable if they are hate crimes, and crimes that did not occur on or within SSU’s Clery geography).

7. Section 98F of Chapter 41 of the General Laws prohibits the release of certain daily crime log “information concerning responses to reports of domestic violence, rape or sexual assault” from being a public record.

To ensure that all incidents from SSU's disciplinary action record management system that must be reported under the Clery Act were included in the standardized Clery Report, the daily crime log, and SSU's 2023 ASR, we took the following actions:

- We obtained a list of all 2,784 incidents from the disciplinary action record management system for the audit period from SSU's associate dean of students.
- We inspected this list to identify the total number of incidents that fell within each of the four categories of Clery Act crimes (as described in the "[Daily Crime Log](#)" section of this report).
- We compared the total number of incidents we identified as Clery Act crimes to the total number of Clery Act crimes SSU included in its Clery Report, daily crime log, and its 2023 ASR.
- We followed up with employees from SSU's Resident Life and Student Life Departments to ask about any variances we identified (i.e., Clery Act crimes that were reported in SSU's ASR but not in SSU's disciplinary action record management system, and vice versa).

See Finding [1](#) for information on the results of this testing.

CSAs

To determine whether SSU had a process in place to ensure that it identified CSAs and that these employees completed training on their responsibilities as CSAs in accordance with the Clery Act (34 CFR 668.46[a]), we took the actions described below.

We interviewed SSUPD employees to determine how SSU identifies CSAs and trains them on their responsibilities. SSUPD provided us the Microsoft PowerPoint presentation it uses to train CSAs on the Clery Act and the sign-in sheets used for these trainings during the audit period. We reviewed the sign-in sheets to determine which CSAs took the trainings.

Because SSUPD did not follow the CSA identification process during the audit period, SSUPD could not provide us with a list of CSAs who were active during the audit period. However, SSUPD provided us with a list of identified CSAs from 2015 (the most current list as of the time of our audit), which we used to identify the job titles of employees who should have been identified as CSAs during the audit period. To ensure that appropriate job titles were consistently identified as CSAs, we compared all of SSU's CSA training sign-in sheets for the audit period to the following:

- SSU's list of identified CSAs in 2015;
- the Clery Act definition of a CSA;

- SSU's definition of CSAs published in its 2021 ASR;
- SSU's definition of CSAs published in its 2022 ASR; and
- SSU's definition of CSAs published in its 2023 ASR.

Additionally, while comparing these lists, we inspected all of SSU's CSA training sign-in sheets for the audit period to determine whether CSA trainings were provided to all CSAs identified in the items in the bulleted list above.

See Finding 2 for information on the results of this testing.

Data Reliability Assessment

Daily Crime Log Data

To determine the reliability of the daily crime log data maintained in SSUPD's case management system, we interviewed SSUPD employees who were knowledgeable about the daily crime log data and SSU's chief information security officer. We tested certain general information system controls (including security management, access controls, configuration management, and contingency planning for SSUPD's case management system) to determine the reliability of the data. SSUPD provided us with the daily crime log data for the audit period, which consisted of 1,534 cases. We inspected the daily crime log data for duplicate case numbers to determine whether a case number appeared more than once. Additionally, we inspected the data for gaps in the sequential case numbers to determine whether cases were missing or deleted from the dataset. We conducted a trend analysis by reviewing the case dates within the audit period to confirm our prediction that fewer cases occurred during the months of May through August, when fewer students were on campus. We also followed up with SSUPD employees to understand the reason for the gaps in the sequential case numbers and missing dates that we found while analyzing the daily crime log data.

To determine the accuracy of the daily crime log data from the 1,534 cases that occurred during the audit period, we judgmentally⁸ selected a sample of 25 cases. For each case in our sample, we listened to the recording of the initial call made to SSUPD and traced the date, time, location, and type of

8. Auditors use judgmental sampling to select items for audit testing when a population is very small, the population items are not similar enough, or there are specific items in the population that the auditors want to review. Auditors use their knowledge and judgment to select the most appropriate sample. For example, an auditor might select items from areas of high risk. The results of testing using judgmental sampling cannot be used to make conclusions or projections about entire populations; however, they can be used to identify specific issues, risks, or weaknesses.

alleged incident to the daily crime log data and verified that the information from the recording matched the daily crime log data.

Incident Data

To determine the reliability of the incident data in SSU's disciplinary action records management system maintained by the Resident Life and Student Life Departments, we interviewed SSU employees who were knowledgeable about the data. We tested certain general information system controls (including security management, access controls, configuration management, and contingency planning for this system) to determine the reliability of the data.

SSU's associate dean of students provided us with a list of all incidents entered into the disciplinary action records management system for the audit period, which consisted of 2,784 incidents (1,883 incidents reported through SSU's website and 901 incidents manually entered into the disciplinary action records management system by SSU professional employees). We inspected the list of 2,784 incidents for duplicate incident numbers to determine whether any incident numbers appeared more than once. Additionally, we inspected the list of 2,784 incidents for gaps in the sequential incident numbers to determine whether any incident numbers were missing or deleted from the dataset. We followed up with SSU employees to understand the reason for the gaps in the sequential incident numbers that we found while analyzing this list.

In addition, SSU's associate dean of students provided us with a list of 1,883 incident reports made through SSU's website; from this list, we selected a random sample of 20 incidents. For each incident in our sample, we traced the date, time, location, and type of report to the list of 2,784 incidents from the disciplinary action records management system to verify that the incident reports made through SSU's website matched the records in the disciplinary action records management system.

Based on the results of the data reliability assessment procedures described above, we determined that the information we obtained was sufficiently reliable for the purposes of our audit.

DETAILED AUDIT FINDINGS WITH AUDITEE'S RESPONSE

1. Salem State University did not accurately report some required crime statistics in certain categories in its annual security report.

Salem State University (SSU) did not accurately report some statistics for Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) crimes that were committed within SSU's Clery geography during calendar years 2020 through 2022 in its 2023 annual security report (ASR).

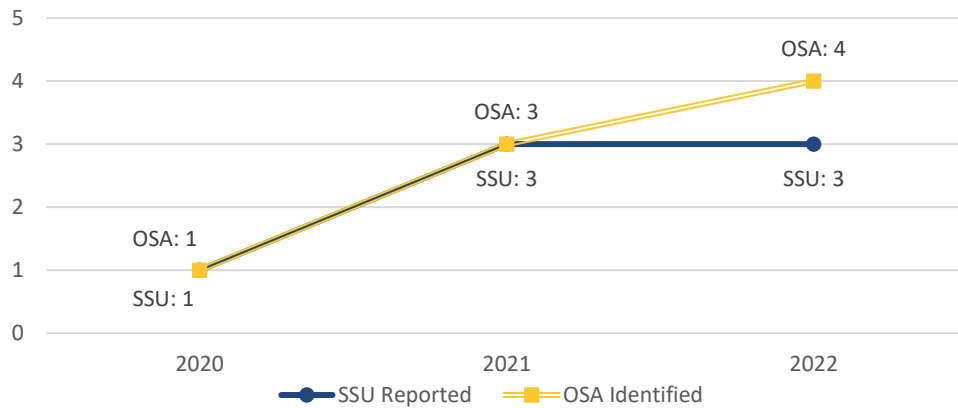
There were a total of 24 Clery Act crime categories listed on SSU's 2023 ASR. The Office of the State Auditor (OSA) inspected all 24 Clery Act crime categories and identified 8 Clery Act crime categories that had variances between what was reported in SSU's ASR and what was reported in SSU's daily crime log and disciplinary action record management system. Of the 8 Clery Act crime categories with variances, 6 Clery Act crime categories had variances in the total numbers of specific incidents reported. For example, SSU did not report one incident of rape and one incident of stalking in 2022. See the table below for a breakdown of SSU's reported incidents considered Clery Act crimes and the incidents we identified as Clery Act crimes within this audit.

Calendar Year	2020		2021		2022	
Clery Act Crime Category	SSU Reported	OSA Identified	SSU Reported	OSA Identified	SSU Reported	OSA Identified
Rape	1	1	3	3	3	4
Stalking	0	0	1	1	0	1
Arrests: Liquor Law Violations	0	0	0	0	0	1
Disciplinary Referrals: Weapons Carrying, Possession, Etc.	1	1	0	0	0	1
Disciplinary Referrals: Liquor Law Violations*	53	31	59	45	5	16
Disciplinary Referrals: Drug Use Violations	0	21	0	10	0	20

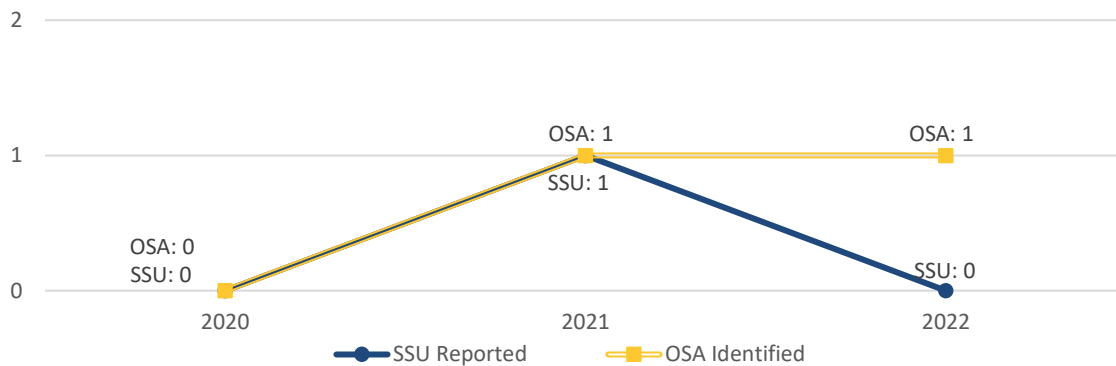
* SSU-reported figures in this category may include disciplinary referrals related to drug use violations because SSU may have been misclassifying drug use violations as liquor law violations (see the variance charts for [liquor law](#) and [drug use](#) disciplinary referrals below).

The charts below show the variances in the total number of offenses we identified as Clery Act crimes compared to the total number of offenses SSU reported in its 2023 ASR.

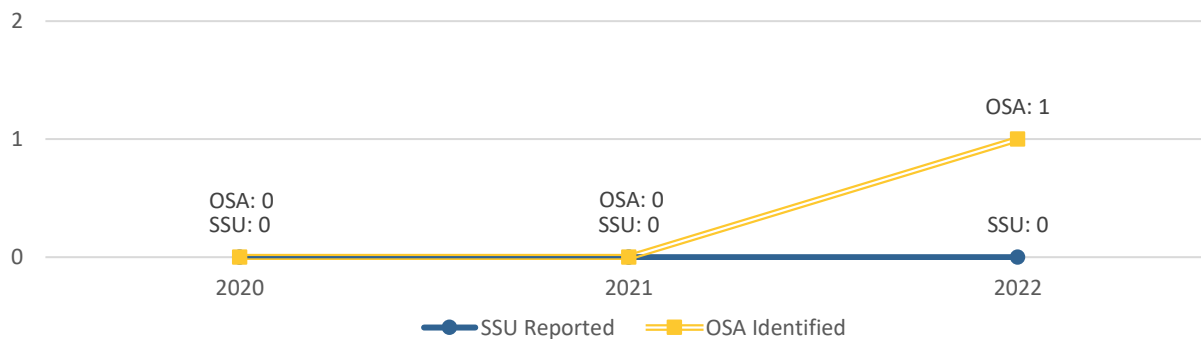
Variances Identified—Rape



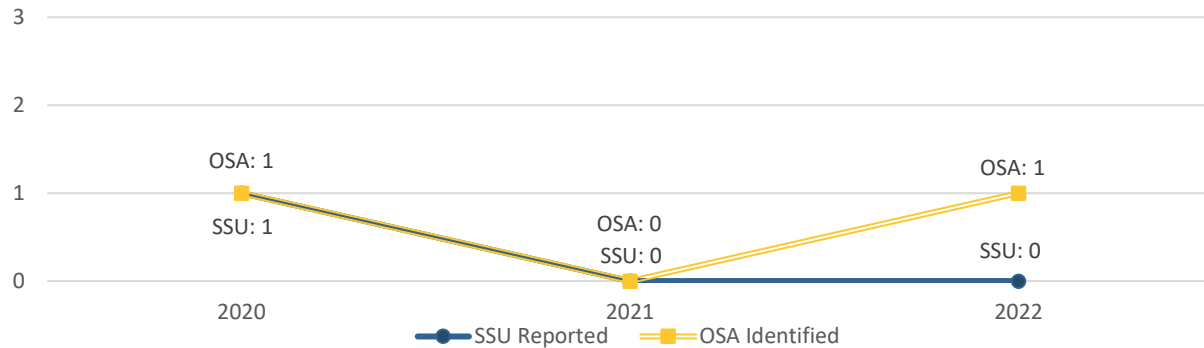
Variances Identified—Stalking



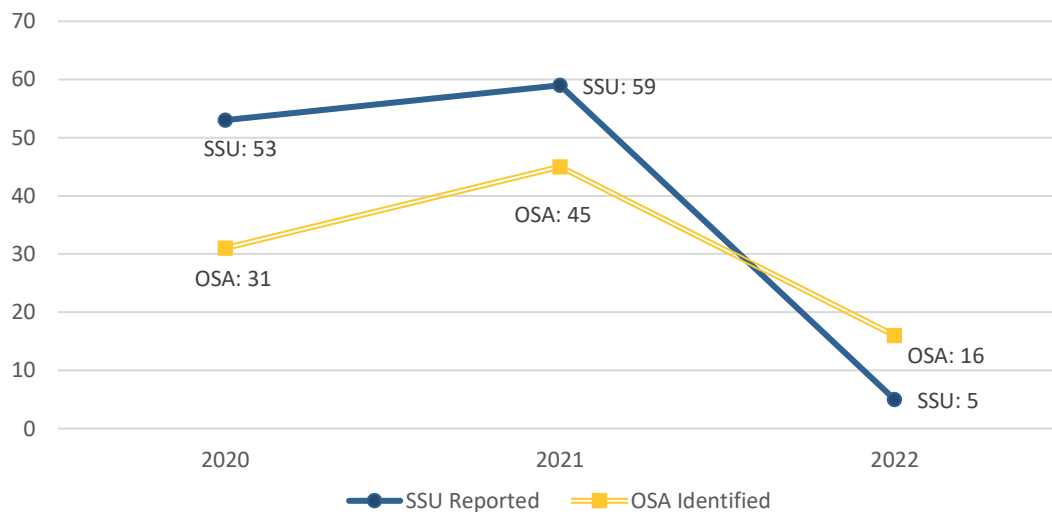
Variances Identified—Arrests: Liquor Law Violations



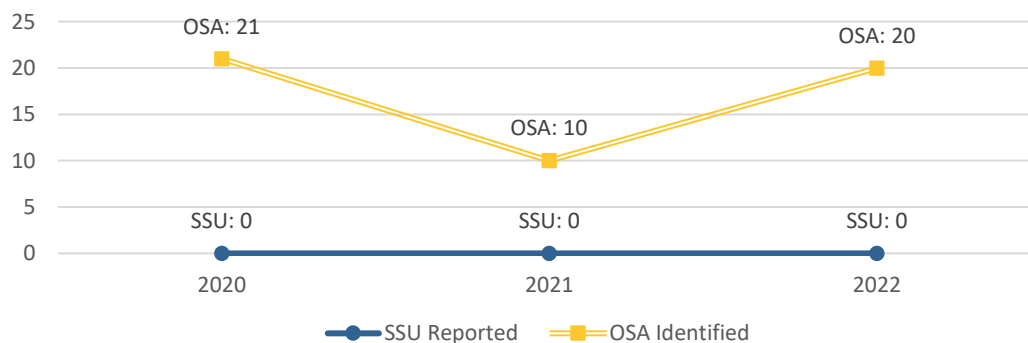
Variances Identified—Disciplinary Referrals: Weapons Carrying, Possession, Etc.



Variances Identified—Disciplinary Referrals: Liquor Law Violations



Variances Identified—Disciplinary Referrals: Drug Use Violations



For the remaining 2 out of the 8 Clery Act crime categories that had variances between what SSU reported and the supporting data from SSU's daily crime log and its disciplinary action record management system, we noted the following:

- The daily crime log included two cases that the investigating police officers recorded as assaults with a dangerous weapon. These two assault cases were not included in SSU's 2023 ASR, resulting in a variance of two underreported aggravated assaults, according to our count. However, upon further review of the police reports and discussion with the SSU Police Department (SSUPD), these two aggravated assault cases were not assaults with a dangerous weapon because no dangerous weapons were used that could result in death or great bodily harm. Therefore, these cases should have been recorded in the daily crime log as simple assaults not motivated by bias. SSU was correct to not include these two cases in its 2023 ASR, but it should have updated these two cases from aggravated assault offenses to simple assault offenses in SSU's daily crime log.
- SSUPD's interim chief of police requested Clery Act crime statistics from the Salem Police Department (SPD) for calendar years 2020 through 2022 to include in SSU's 2023 ASR on July 17, 2023. We inspected these Clery Act crime statistics that SPD emailed to SSUPD. The email listed the addresses of the offenses that occurred on or within SSU's Clery geography and the type and total number of Clery Act crimes that occurred at these addresses. We noted 11 domestic violence offenses in SPD's Clery Act crime statistics, but there were only 4 domestic violence offenses reported in SSU's 2023 ASR, resulting in a variance of 7 unreported domestic violence offenses. According to SSUPD employees, all 7 domestic violence offenses occurred on private property (not owned or controlled by SSU), which are not categorized as being on or within SSU's Clery Act geography; therefore, the offenses were not required to be reported in SSU's 2023 ASR. We asked SSUPD employees how they determined that these 7 domestic violence offenses occurred on private property, and they explained that they had obtained and reviewed SPD's case files for all Clery Act crimes that occurred on or within SSU's Clery geography. However, when we requested these case files to review them, SSUPD employees explained that they did not retain SPD's case files for the audit period.

If SSU inaccurately reports its Clery Act crime statistics, current and prospective students, SSU employees, and members of the public may draw incorrect conclusions about campus safety. Additionally, not complying with the Clery Act's ASR reporting requirements may result in SSU having to pay fines to the US Department of Education (US DOE).

Authoritative Guidance

According to Section 668.46(c) of Title 34 of the Code of Federal Regulations (CFR),

- (1) ***Crimes that must be reported and disclosed.*** *An institution must report to the [US DOE] and disclose in its annual security report statistics for the three most recent calendar years concerning the number of each of the following crimes that occurred on or within its Clery geography and that are reported to local police agencies or to a campus security authority:*

(i) *Primary crimes, including . . .*

(1) *Rape . . .*

(ii) *Arrests and referrals for disciplinary actions, including—*

(A) *Arrests for liquor law violations, drug law violations, and illegal weapons possession . . .*

(iv) *Dating violence, domestic violence, and stalking. . . .*

(2) ***All reported crimes must be recorded.***

According to US DOE's *Handbook for Campus Safety and Security Reporting*, SSU must "retain the annual security report and all supporting records used in compiling the report for three years." This includes any case files SSU acquires from SPD related to Clery Act crimes that occurred on or within SSU's Clery geography, which SSU uses to complete its ASR.

Reasons for Issue

SSUPD told us that the Clery Act crime statistic variances relating to rape, disciplinary referrals for weapons carrying/possession/etc., and arrests for liquor law violations exist because of human error, such as instances of some SSUPD officers not checking the "Clery" checkbox in SSUPD's case management system. According to SSU management, there was employee turnover and role changes within the Resident Life and Student Life Departments throughout the audit period. The current dean of students and associate dean of students indicated that they could not determine the causes for the variances in Clery Act crime statistics for disciplinary referrals related to drug use and liquor law violations, because they were not in those roles during the audit period. SSU management further stated that one reason for the variances in disciplinary referrals may have been misclassifying drug use violations as liquor law violations.

According to an email the associate dean of students sent us on April 24, 2024, the associate dean of students looked into the reason for the variance related to the stalking incident, which was recorded in SSU's disciplinary action record management system. However, it appeared that the incident was left unresolved and SSUPD was not notified by the Resident Life or Student Life Departments; therefore, SSUPD was not involved.

According to SSUPD employees, the reason for the variances of the aforementioned two unreported aggravated assaults was because of an oversight by SSUPD employees of not updating the daily crime log for two simple assaults cases that were misclassified.

The reason for the variances of seven domestic violence cases was because SSUPD determined that these SPD cases did not occur on or within SSU's Clery geography. However, SSUPD did not retain SPD's case files after reviewing them. SSUPD did not provide a reason why it did not retain SPD's case files after reviewing them.

Recommendation

SSU must make certain that all Clery Act crimes that occur within its Clery geography are accurately reflected in SSU's daily crime log and its ASR by establishing policies and procedures to ensure that the following occur:

- cases are recorded accurately in SSU's daily crime log and the offense types are updated as needed;
- the "Clery" checkbox in SSUPD's case management system is always selected for Clery Act crimes;
- SSUPD retains all supporting documentation for its Clery Act crime statistics, including case files provided by SPD, for at least three years;
- employees from the Resident Life and Student Life Departments accurately record disciplinary incidents in SSU's disciplinary action records management system; and
- Clery Act crimes are accurately documented in SSU's disciplinary action records management system and reported to SSUPD so they can be properly investigated and included in SSU's ASR.

Auditee's Response

We agree with the above finding. During the period of the audits, both the SSUPD and SSU's student life department experienced leadership turnover. At the same time, the university was immersed in responding to the [COVID-19] pandemic to protect the safety of all students, faculty, staff and visitors of the university. SSUPD and SSU's student life department led the re-opening operations of our campus. Compounding these issues, both departments also experienced significant shortages in staffing that impacted our consistency in reporting.

SSU's reported incidents considered and identified as Clery Act crimes as a result of the audit have been presented in a table under the Detailed Audit Findings section of the OSA report. This table presents 8 categories for which the OSA had some discrepancies but did not indicate the total categories which were looked at as part of their audit (24 categories). The table below summarizes what has been audited and what was found by category to provide the reader with an overall perspective of the Clery reported audit findings.

Crime Categories	Audit Results
16	Properly reported: No audit discrepancies
1	Properly reported: But underlying daily log not updated
1	Properly reported: But underlying but external case record not retained
6	Improperly reported: Discrepancies confirmed
24	Total Number of reportable crime categories

While we were substantially in compliance in following the policies and procedures in place to meet the requirements of the Clery Act, these significant shortages in leadership and staff positions contributed to a lack of consistent oversight. Since that time, we have established a strong and stable leadership team that is committed to maintaining compliance with Clery Act reporting. Our current team is diligently following and strengthening our established reporting policies and procedures. We are confident that these leadership and staff changes will ensure that all Clery Act crimes occurring within SSU's Clery geography are accurately documented and categorized in both the daily crime log and the Annual Security Report (ASR) to eliminate the under-reporting and over-reporting identified by this audit.

SSUPD acknowledges inadvertent errors in tabulating some of the reported crime statistics. As a result of this occurrence, SSU has strengthened their procedures and practices and has required Clery offenses to be catalogued, tabulated, and crosschecked on a monthly basis. This monthly cross checking will be performed utilizing manual, automated, and record management systems controlled by the SSUPD, as well as the various records systems controlled by student life, residence life, athletics, and Clery data provided by other campus areas. SSU will ensure that all supporting documentation is retained for the appropriate length of time.

The university has and will continue to annually provide and review the Clery report with our Board of Trustees. As noted during the audit, we regularly announce the availability of this report to all employees, students, and the public, including making the report publicly available on our website with printed copies distributed at our police station. We will incorporate the discrepancies identified in this audit so that corrected information is available to all audiences moving forward.

Auditor's Reply

Based on its response, SSU is taking measures to address our concerns regarding this matter. As part of our post-audit review process, we will follow up on this matter in approximately six months.

2. Salem State University did not properly identify and train campus security authorities.

SSU could not provide us with a list of individuals who had been identified by the university as campus security authorities (CSAs), nor did SSU ensure that all CSAs received training on their responsibilities.

Based on our interviews with SSUPD, at one time SSU had a process to identify CSAs. According to the interim SSUPD chief of police, the last list of CSAs who were identified using this protocol was dated April 7, 2015.

Additionally, SSU did not have a process in place to notify all identified CSAs of their responsibilities and did not ensure that all identified CSAs received proper training. Although SSUPD could not provide a list of CSAs for the audit period, SSUPD provided us with sign-in sheets for CSA trainings that it held during the audit period. Our inspection of these sign-in sheets found that not all employee job titles, that SSU determined met the definition of a CSA in its 2023 ASR, were on these sign-in sheets. We found that some CSAs from the Resident Life and Student Life Departments attended the CSA training. However, several SSU job titles identified as CSAs in SSU's 2023 ASR were not on the sign-in sheets. For example, SSU identified the director of athletics as a CSA in its 2023 ASR, but SSU's director of athletics did not sign in for the relevant CSA training.

From these sign-in sheets, we could not verify that all CSAs attended the CSA trainings during the audit period. We also noted that SSU's last reviewed list of CSAs, dated April 7, 2015, and the Clery Act include the following job titles that were not found on SSUPD's CSA training sign-in sheets during the audit period: campus police officer, coaches or athletic administrators, and student group advisors.

If SSU does not properly identify and train all CSAs, SSU's ability to compile and report accurate annual crime statistics is limited and, with inaccurately reported crime statistics, current and prospective students, SSU employees, and members of the public may be misinformed or draw incorrect conclusions about campus safety.

Authoritative Guidance

According to 34 CFR 668.46(a), a CSA is defined as the following:

- (i) A campus police department or a campus security department of an institution.*
- (ii) Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department . . . such as an individual who is responsible for monitoring entrance into institutional property.*
- (iii) Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.*

(iv) An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. If such an official is a pastoral or professional counselor . . . the official is not considered a campus security authority when acting as a pastoral or professional counselor.

According to the Clery Act Appendix for the *Federal Student Aid Handbook*,

The Department [of Education] will defer to an institution's designation of CSAs as authoritative and provide any technical assistance necessary to work with institutions to help ensure proper identification and notification of CSAs consistent with the regulations.

According to SSU's 2023 ASR, examples of individuals who are considered CSAs include the following:

- (v) A vice president for student life who oversee student housing, a student center or student extracurricular activities.*
- (vi) A director of athletics, a team coach or a faculty advisor to a student group.*
- (vii) A student resident assistant or a student who monitors access to dormitories.*
- (viii) A coordinator of Greek Life.*

Reasons for Issue

SSUPD's interim chief of police told us that they had conversations with SSU Human Resources Department employees about making CSA identification part of SSU's onboarding process. The Human Resources Department employees said SSUPD would need to create a list of job descriptions / responsibilities for which Clery Act training should be included. The previous chief of police had started working on this list of job descriptions / responsibilities; however, because of the time-consuming process of identifying who should be included on this list and rewriting job descriptions to include CSA responsibilities, they never completed the list.

Recommendations

1. SSU should establish a process for its Human Resources Department and SSUPD to identify individuals who meet the definition of a CSA.
2. SSU should maintain and regularly update a list of identified CSAs.
3. SSU should notify identified CSAs and train them on their responsibilities as CSAs at least annually.

Auditee's Response

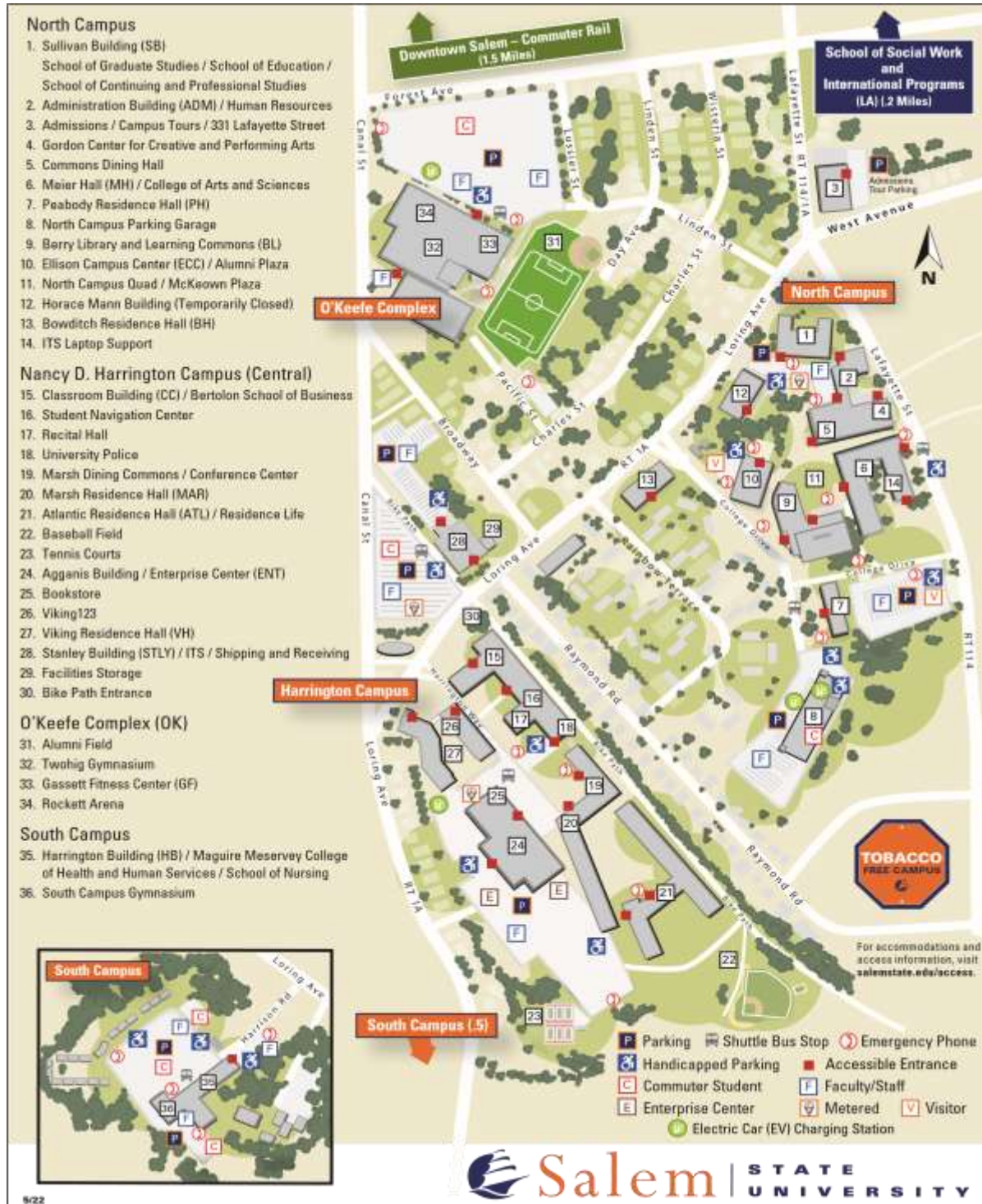
We agree with the above finding. The university rearticulates the time period which the audit covered, mainly the entire [COVID-19] period. Both SSUPD and the office of human resources and equal opportunity ("HR") were integrally involved in managing the impact of the pandemic on campus, including communications, employee and student testing, and data tracking. Unfortunately, during that time, the university's attention was pulled away from the identification and training of CSA's campus wide. SSU acknowledges that much of the CSA identification and training during and after the pandemic has been focused on student life administrators and staff. SSUPD and HR will undertake a review process to more fully identify all CSAs and will provide notification and training to those individuals annually. SSUPD will annually update the list of identified CSAs. The university utilizes Safe College online training to equip CSAs with knowledge and skills for effectively managing safety and compliance on campus.

Auditor's Reply

Based on its response, SSU is taking measures to address our concerns regarding this matter. As part of our post-audit review process, we will follow up on this matter in approximately six months.

APPENDIX A

Salem State University Map



Source: Salem State University (<https://www.salemstate.edu/sites/default/files/pdfs/Salem%20State%20Campus%20Map.pdf>)

APPENDIX B

Below are the crimes that must be reported under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, according to Section 668.46(c)(1) of Title 34 of the Code of Federal Regulations.

Crimes that must be reported and disclosed. *An institution must report to the [US Department of Education] and disclose in its annual security report statistics for the three most recent calendar years concerning the number of each of the following crimes that occurred on or within its Clery geography and that are reported to local police agencies or to a campus security authority:*

(i) *Primary crimes, including—*

(A) *Criminal homicide:*

(1) *Murder and nonnegligent manslaughter; and*

(2) *Negligent manslaughter.*

(B) *Sex offenses:*

(1) *Rape;*

(2) *Fondling;*

(3) *Incest; and*

(4) *Statutory rape.*

(C) *Robbery.*

(D) *Aggravated assault.*

(E) *Burglary.*

(F) *Motor vehicle theft.*

(G) *Arson.*

(ii) *Arrests and referrals for disciplinary actions, including—*

(A) *Arrests for liquor law violations, drug law violations, and illegal weapons possession.*

(B) *Persons not included in paragraph (c)(1)(ii)(A) of this section who were referred for campus disciplinary action for liquor law violations, drug law violations, and illegal weapons possession.*

(iii) Hate crimes, including—

(A) The number of each type of crime in paragraph (c)(1)(i) of this section that are determined to be hate crimes; and

(B) The number of the following crimes that are determined to be hate crimes:

(1) Larceny-theft.

(2) Simple assault.

(3) Intimidation.

(4) Destruction/damage/vandalism of property.

(iv) Dating violence, domestic violence, and stalking as defined in paragraph (a) of this section.

APPENDIX C

Salem State University's Webpage for Reporting an Incident or Concern

The screenshot displays the 'Report an Incident or Concern' page on the Salem State University website. The page features a blue header with the university's logo and navigation links. The main content area is white with a blue title. A section titled 'In This Section' contains a paragraph about the university's commitment to safety. Below this, a large heading reads 'For Immediate Safety Risks, Call 911', followed by a paragraph explaining the protocol for immediate safety concerns. A link is provided for reporting a crime or requesting a threat assessment. The 'Make a Report' section lists six categories of incidents, each with a plus icon. The footer includes contact information, social media links, and additional resources.

Salem STATE UNIVERSITY News & Events A-Z Directory Info For Giving Sign In

The Salem State Difference Academics Admissions and Aid Campus Life Search

Home > Campus Life > Student Services >

Report an Incident or Concern

In This Section

The safety and well-being of our community is a top priority at Salem State. Teams from student life, academic support and university police work together to respond to concerns about community members in a supportive and compassionate way.

For Immediate Safety Risks, Call 911

If you have an immediate safety concern, a person is a threat to themselves or someone else, or you are witnessing a crime, call ext. 6111 from a university phone, or call 978.542.6111 or 911 from any phone.

You can also contact university police to [anonymously report a crime or request a threat assessment](#).

Make a Report

- + Care and Concern Report
- + Academic/Day to Day Concerns
- + Bias Incidents
- + Student Conduct Code Violations
- + Academic Integrity Violations
- + Sexual Violence and Gender-Based Misconduct Reporting Form

> TAKE A CLASS > APPLY NOW > REQUEST INFO > VISIT US

Salem STATE UNIVERSITY
352 Lafayette Street
Salem, MA 01970

CAMPUS MAP AND DIRECTIONS
A-Z DIRECTORY
MAKE A GIFT
ENTERPRISE CENTER

Source: Salem State University (<https://www.salemstate.edu/campus-life/student-services/report-incident-or-concern>)