

Clery Act Training: For a Campus Security Authority



Clery Act Training - Introduction



- In 1986 Jeanne Clery was raped and murdered in her dorm room at Lehigh University.
- The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) was enacted in her memory.
- The goal of the Clery Act is to ensure students, prospective students, parents and employees have access to accurate information about crimes committed on campus and campus security procedures.

Clery Act Training

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The following information is general guidance for a Campus Security Authority (CSA).

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Section 1:
Clery Act Overview –
Definitions and Requirements

What is the Clery Act?:

- The Clery Act requires institutions of higher education receiving federal financial aid to report specific crime statistics on campus and provide safety and crime information to members of the campus community.
- Law is tied to federal student financial aid programs and requires colleges and universities to make timely warnings, emergency notifications, and provide annual information about campus crime statistics and security policies.
- Violators can be “fined” up to \$54,789 per violation by the U.S. Department of Education, the agency charged with enforcement of the Act.

Why is this important?

- Many crimes and incidents, especially sexual assaults, are not reported to the police.
- To ensure that students know about dangers on their campuses, the Clery Act requires institutions to gather and publish data from three kinds of Campus Security Authorities.

Requirements of the Clery Act

- **Disclose, collect, classify and count crime reports and statistics**
- **Issue Crime Alerts** - timely warning for any Clery Act-specified crime that represents an ongoing threat to the safety of students or employees
- **Issue Emergency Notifications** upon confirmation of significant emergency or dangerous situation involving immediate threat to health or safety
- **Publish Annual Security Report**
- **Submit Crime Statistics** to Department of Education
- **Maintain a publicly available daily crime log**
- **Implement missing student notification procedures**
- **Maintain Fire Safety information** - including fire log, annual fire report with statistics and policy statements
- Employees and students are notified by October 1 of each year that the campus annual security report is updated and available.

Section 1 Review

- Many crimes, especially sexual assaults, are not reported to police
- The Clery Act requires institutions of higher education receiving federal financial aid to report specific crime statistics on campus and provide safety and crime information to members of the campus community
- Each campus is responsible for establishing appropriate procedures to implement these requirements
- Employees and students are notified by October 1 of each year that the campus annual security report is updated and available

Section 2: Campus Security Authority



Who is a Campus Security Authority?

The Clery Act requires that the University gather and publish crime data from multiple sources, including a Campus Security Authority.

The law defines **4 categories of a Campus Security Authority**:

- University Police
- Non-police security staff responsible for monitoring University property
- People/Offices designated under our policy as those to whom crimes should be reported
- “Officials with significant responsibility for student and campus activities”

Section 2: Campus Security Authority

How is a campus official designated as a Campus Security Authority (CSA)?

CSAs are defined by **job function** and not by title.

Functions

A CSA is anyone who has significant responsibility for student AND campus activities.

The law defines "significant responsibility" broadly and includes, but is not limited to:

- Student Housing
- Student Discipline and Campus Judicial Proceedings

Who are CSAs?

Examples of CSAs

- Deans
- Student Housing Staff
- Athletic Coaches
- Student Activities Coordinators
- Officials who oversee a student center
- Student Judicial Officers
- Resident Assistants (RAs)
- Student Advisors
- Faculty Advisors to student organizations

NOT CSAs

- Administrative staff not responsible for student activities (e.g., payroll, facilities)
- Clerical staff
- Individual faculty who DO NOT serve as advisors to registered student organizations
- Doctors in the Student Health Center, or Counselors in the Counseling Center, who only provide care to individual students

Section 2: Campus Security Authority

CSA Reporting Exemptions

- **Licensed professional mental health counselors**
- **Pastoral counselors** (employed by a religious organization to provide confidential counseling) and are **working within the scope of their license or religious assignment.**

Although licensed professional mental health and pastoral counselors are exempt from Clery Act requirements, the University encourages such counselors to tell victims about the Confidential Reporting Process, if, in their judgment, it is appropriate to discuss crime reporting with the individual.

Victims have the option of reporting crimes confidentially to a CSA. This means the University will keep a record that a crime occurred but will not publish any identifying information. Reports filed in this manner are counted and disclosed in the annual crime statistics.

Section 2: Campus Security Authority

Review

- CSAs are defined by job function and not by title.
- A CSA is anyone who has significant responsibility for student AND campus activities.
- Examples of CSAs include Deans, Student Housing Staff, Athletic Coaches, and Student Coordinators and Advisors.
- Administrative, clerical staff, or faculty positions without responsibility for student activities or advising do not meet the requirements of a CSA.
- Licensed professional mental health and pastoral counselors are exempt from Clery Act requirements.

Section 3: Responsibilities and Reporting



Section 3: Responsibilities and Reporting

CSAs are responsible for collecting and reporting on certain crimes that are reported to them by students and employees.

The following slides in this section will help CSAs know what crimes need to be reported and how to report them within the Clery Act provisions.

Section 3: Responsibilities and Reporting

What is a CSA required to report?

- **Criminal homicide (non-negligent manslaughter, negligent manslaughter)**
- **Sex offenses (Rape, Statutory Rape, Incest, Fondling)**
- **Aggravated assault**
- **Robbery**
- **Burglary**
- **Motor vehicle theft** (See **CSA Information handout for definitions**)
- **Arson**
- **Dating violence**
- **Domestic violence**
- **Stalking**
- **Hate crimes**, including any of the seven crimes listed above and the four below, or any other crime causing bodily injury, if motivated by race, gender, gender identity, religion, sexual orientation, ethnicity, national origin or disability.
 - **Larceny-theft**
 - **Simple assault**
 - **Vandalism**
 - **Intimidation**
- **Arrests and discipline referrals** of students, staff, and faculty for liquor, drug and weapons law violations

Section 3: Responsibilities and Reporting

Reporting depends on location

A CSA must report an incident if it occurred:

- On campus (includes streets, grounds and parking lots within campus boundaries)
- On campus, in residence halls
- On public property adjacent to campus
- On non-campus property owned or controlled by the University or a recognized student organization (includes Plum Creek ball fields)

Reporting depends on location – International

Foreign educational operations that are either owned or maintained by Concordia are governed by the Clery Act and have reporting requirements.

Section 3: Responsibilities and Reporting

What Not to Report

As a CSA, you do not have to report the following:

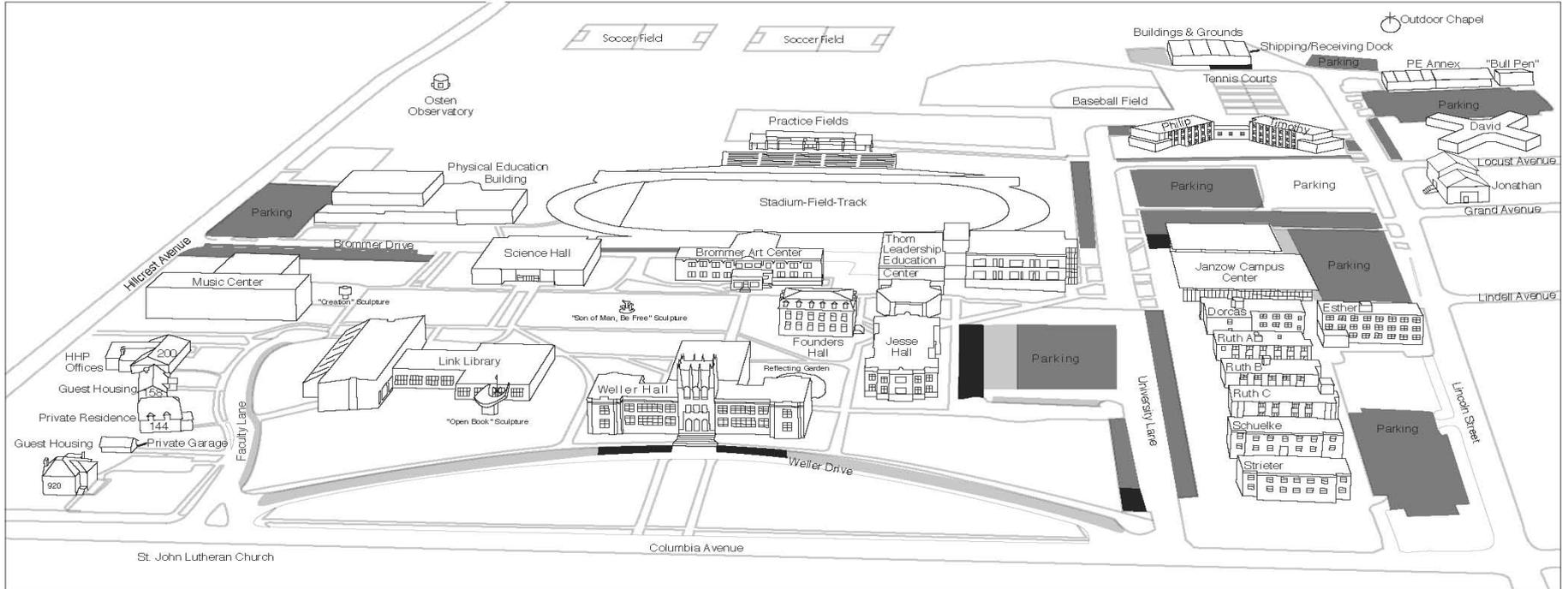
- A person tells you about a crime that occurred before he/she came to the University

OR

- While he/she was away from campus and not involved in a UC activity (e.g., at home during Spring break)

CONCORDIA UNIVERSITY NEBRASKA

800 North Columbia Avenue Seward, Nebraska 68434 800 535 5494 admiss@cune.edu



2432R1106

Driving Directions:

From I-80: Take the Seward exit. Go north on Hwy. 15, 6 miles to the first stop light and turn right. Turn left at Columbia Avenue.
From U.S. 34: Turn north on Columbia Avenue.
From Hwy. 15 North: Proceed south on Hwy. 15 to Hillcrest Avenue and turn left at the Concordia sign. Turn right at Columbia Avenue.

- Visitor Parking Only
- Visitor, Faculty, Staff & Student Parking
- Faculty and Staff Parking Only

Section 3: Responsibilities and Reporting

Reporting an Incident

As a Campus Security Authority you are required to:

- Get the facts - When, what, where, who, etc.
- Report all Clery Act related crimes immediately to the Campus Security or Student Life so the campus can comply with timely warning policies and have accurate crime statistics for the annual security report
- Inform victims of their options, including confidential reporting options and offer referrals to resources (e.g., campus assistance programs or counseling service, if appropriate)
 - Share how he/she can report to Police, including how to report anonymously
 - A person who talks to you may not want to talk to Police - and doesn't have to

Reporting an Incident - Get the Facts

Important Questions to Ask

- Is a violent crime in progress? (If so, call police immediately!)
- Has the victim sought or is the victim in need of assistance/services?
- What happened? How, when, and where did it happen? Is there an identified suspect?
- Has the incident been reported to police or to another CSA?
- Does the victim wish to remain anonymous?

Section 3: Responsibilities and Reporting

Reporting an Incident - Next steps

- Complete a Clery Act Crime Report Form (forms available from Clery Act Coordinator and online)
- Describe the incident/crime as completely and accurately as you can
- You do not need to make a judgment about or investigate what happened, just get the facts

Note: If the victim reports a crime to you, but wishes to remain anonymous, you still need to submit a Clery Act Crime Report Form (but do not need to identify the victim)

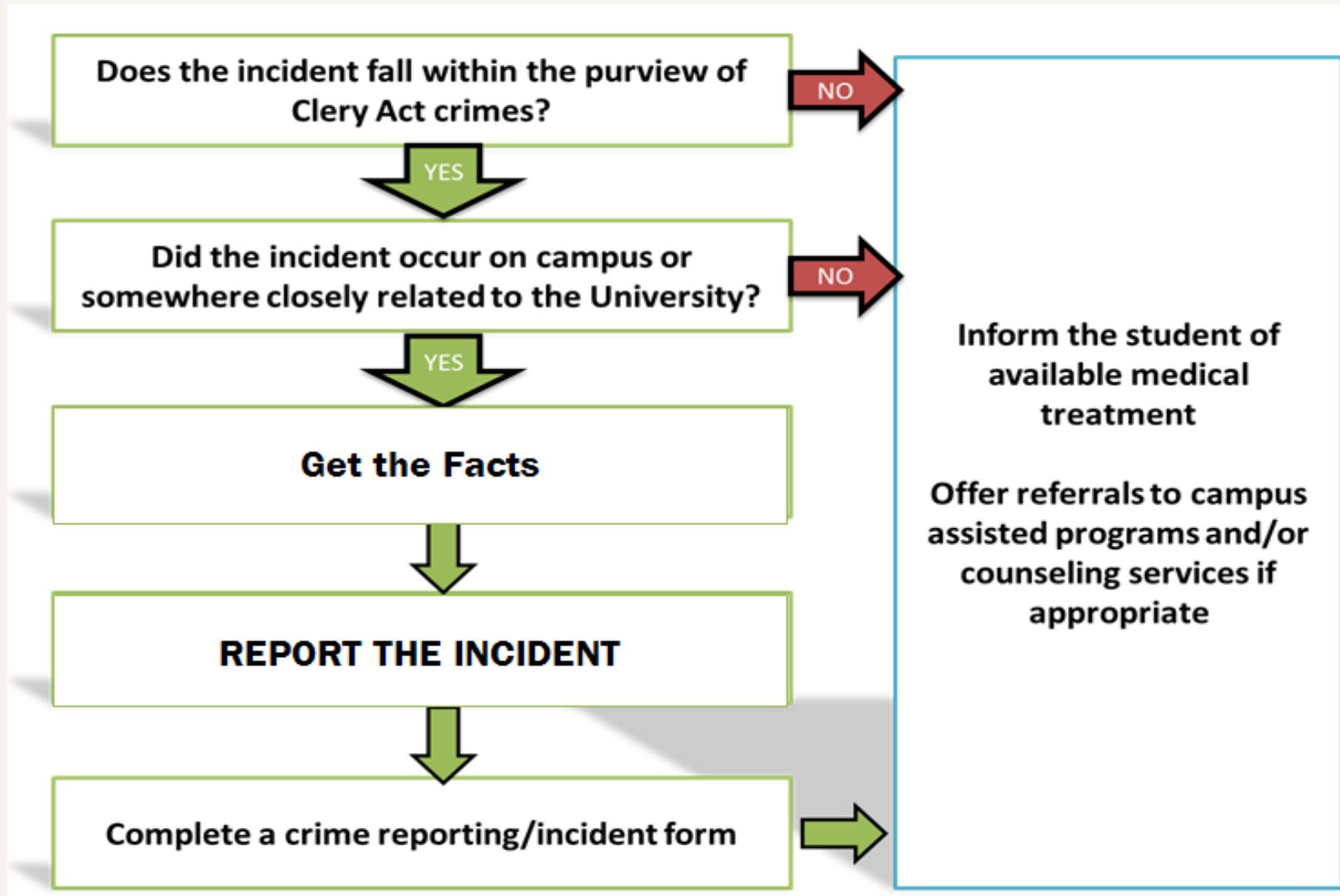
Section 3: Responsibilities and Reporting

Reporting an Incident - Filling out the Report

- Answering questions on the form will help determine the correct category (you don't have to know the classification)
- Write a brief description of the incident

Timely reporting is critical!

Section 3: Responsibilities and Reporting Review



Section 3: Responsibilities and Reporting

Reporting a Clery Crime at Concordia

- For emergencies & crimes in progress, call 9-1-1
- Fill out Clery Act Crime Report Form found on the portal: Click on the Employee Tab and scroll down to the bottom of the page. On the bottom right of the page you will find a section labeled Clery Act Compliance. Click on the link labeled 2017 Crime Report Form.
- Send form immediately to Student Life Office: studentservices@cune.edu and Security Department:

Need Assistance?

- Gene Brooks, Vice President for Student Affairs and Athletics, 402-643-7373
- Kirby Klappenback, Associate General Counsel; Title IX Coordinator, 402-643-7192

Section 4: Review and Guidance



Section 4: Review and Guidance

Review

- The Clery Act requires institutions of higher education receiving federal financial aid to report specific crime statistics on campus and provide safety and crime information to members of the campus community.
- Each campus is responsible for establishing appropriate procedures to implement these requirements.
- A Campus Security Authority (CSA) is anyone who has significant responsibility for student AND campus activities.
- CSAs are required to: Get the facts, report all Clery related crimes to the Student Life Office and the Campus Security Department, inform victims of confidential reporting options and offer referrals to resources.

Section 4: Review and Guidance

Additional Guidance and Resources

- You can get additional information and advice from your campus Clery Act Coordinator: Kirby Klappenback; 402-643-7192; Kirby.Klappenback@cune.edu
- Guidance is also available in the U.S. Department of Education Handbook for Campus Safety and Security Reporting.
<https://www2.ed.gov/admins/lead/safety/handbook.pdf>