

Clery Act Training



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For a Campus Security Authority (CSA)



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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.

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Introduction



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.

The Clery Act

Information disclosed under the Clery Act can assist students and parents in making decisions which affect their personal safety.

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

Each campus is responsible for establishing appropriate procedures to implement these requirements.

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Section 1

Section 1: Clery Act Overview – Definitions and Requirements

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Section 1: Clery Act Overview

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 \$35,000 per incident by the U.S. Department of Education, the agency charged with enforcement of the Act.



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Section 1: Clery Act Overview - continued

Why is this important?

- Many crimes, especially sexual assaults, are not reported to police.
- The Clery Act requires that the University gather and publish crime data from multiple sources (including a Campus Security Authority) to ensure that students and others know about potential dangers on campus.



Section 1: Clery Act Overview - continued

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

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Section 1: Clery Act Overview - continued

Requirements of the Clery Act

Requires institutions to report (annually and on-going) the following:

- Where crimes occurred
- Type of crimes reported

- Employees and students are notified by **October 1** of each year that the campus annual security report is updated and available



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Section 1: Clery Act Overview - continued

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

Section 2: Campus Security Authority

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Section 2: Campus Security Authority

What 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”

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Section 2: Campus Security Authority - continued

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

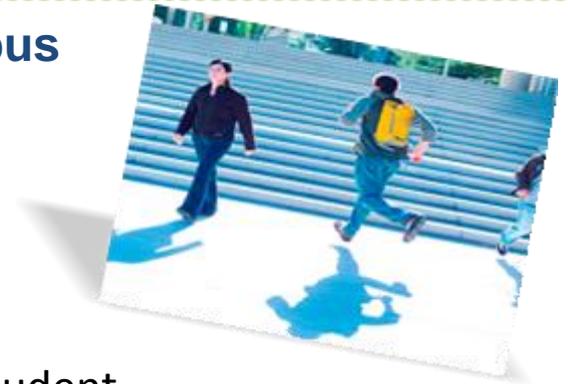
CSAs are defined by **job function** and not by title.

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



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Section 2: Campus Security Authority - continued

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 - continued

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 this client

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 - continued

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

Section 3: Responsibilities and Reporting

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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.



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Section 3: Responsibilities and Reporting - continued

What is a CSA required to report?

- **Criminal homicide (murder and manslaughter)**
- **Sex offenses, forcible & non-forcible**
- **Aggravated assault**
- **Robbery**
- **Burglary**
- **Motor vehicle theft**
- **Arson**
- **Hate crimes**, including any of the seven crimes listed above, or any other crime causing bodily injury, if motivated by race, gender, gender identity, religion, sexual orientation, ethnicity, national origin or disability.
- **Arrests and discipline referrals** of students, staff, and faculty for liquor, drug and weapons law violations

Amendments to the Clery Act in 2008 expanded hate crimes to include:

- **Larceny-theft**
- **Simple assault**
- **Vandalism**
- **Intimidation**

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Section 3: Responsibilities and Reporting - continued

What is a CSA required to report?

In March 2013, President Obama signed a bill that strengthened the Violence Against Women Act (VAWA). Included in the bill was the Campus Sexual Violence Elimination Act (Campus SaVE) that amends the Clery Act to include reporting of the following effective 2014:

- **Dating violence**
 - **Domestic violence**
 - **Stalking**
- The 3 new Clery crimes listed above must be tracked for inclusion in the reporting of Clery crime statistics starting with the October 2014 Annual Security Reports. Work with your respective chain of command about any additional reporting of these types of crimes.
 - The Annual Security Report must also include updated policy statements to include VAWA requirements addressing Sexual Harassment Policy and Procedures for Responding to Complaints of Sexual Harassment.

Section 3: Responsibilities and Reporting - continued

Reporting depends on location

A CSA must report an incident if it occurred:

ON CAMPUS

(includes streets, grounds and parking lots within campus boundaries)

- **In on-campus housing facilities** (even if privately owned/operated)
- **On public property adjacent to the campus** (e.g., roads, sidewalks)
- **On non-campus property owned or controlled by the University or a recognized student organization** (e.g., fraternities)

Section 3: Responsibilities and Reporting - continued

Reporting depends on location

A CSA must report an incident if it occurred:

OFF CAMPUS but closely related to the University

Under the law, some off-campus locations are deemed so closely related to the University that crimes at these locations are included in campus crime statistics.

- **Any building or property owned or controlled by a student organization officially recognized by UC**
- **Any building or property owned or controlled by UC that is used in direct support of UC's educational purposes, is frequently used by students, and is not "on-campus" property**

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Section 3: Responsibilities and Reporting - continued

Reporting depends on location – International

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

Situation	Clery Impact
UC opens and operates a campus in another country	Full Clery Act reporting obligations/need to define “public property”
Students go abroad for credit in a program not run by UC	No Clery reporting obligations
UC runs an international program – contracts with an international entity to provide services and/or space	Clery reporting obligations if UC “owns or controls” international property

Section 3: Responsibilities and Reporting - continued

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)

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Section 3: Responsibilities and Reporting - continued

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 Police Department 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)



Section 3: Responsibilities and Reporting - continued

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 - continued

Reporting an Incident - Next steps

- Complete a Crime Reporting/Incident 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 UC Crime Incident Report (but do not need to identify the victim)

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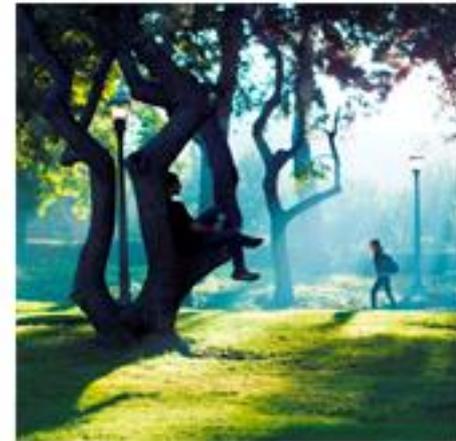


Section 3: Responsibilities and Reporting - continued

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

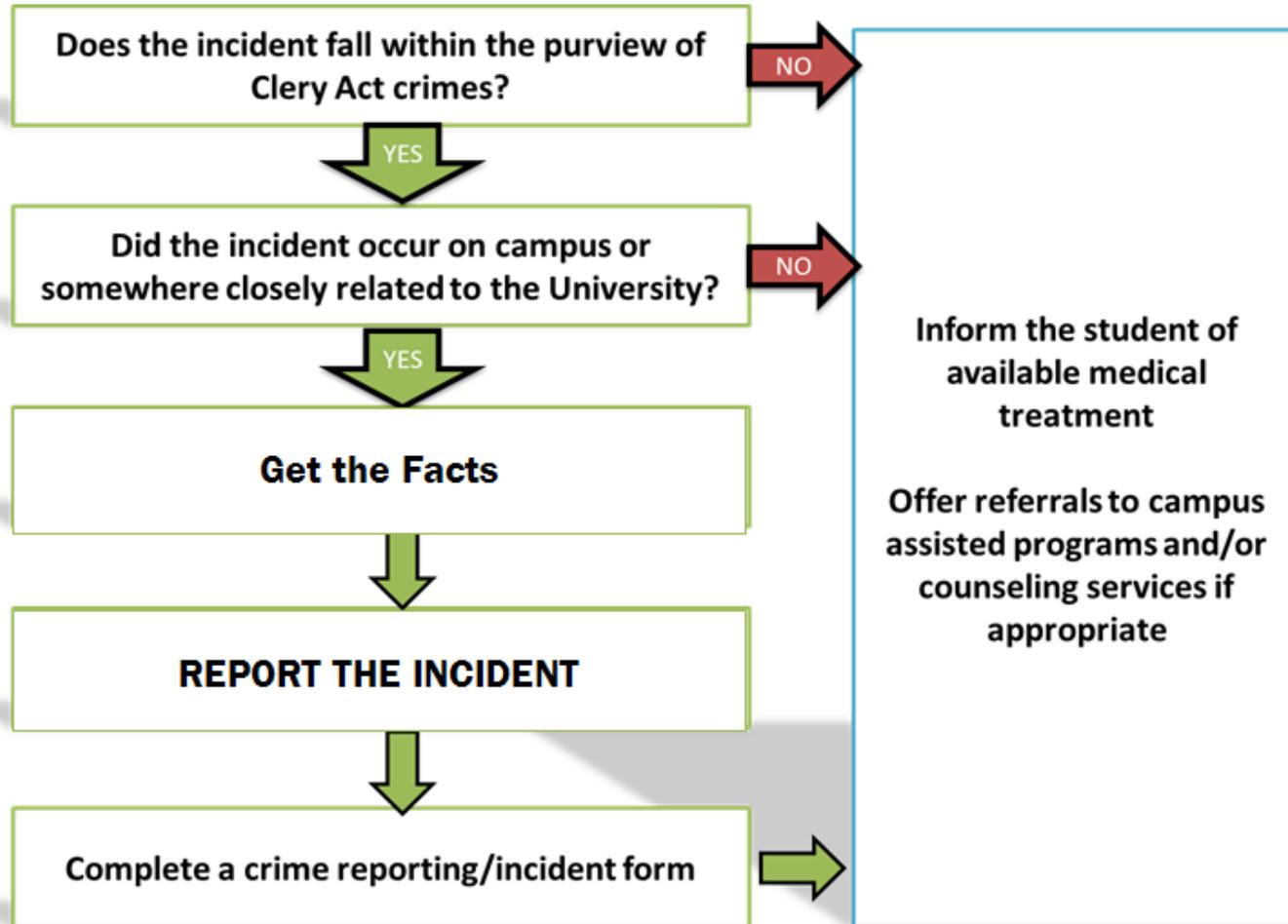


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Section 3: Responsibilities and Reporting - continued

Review





Section 4

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 police, inform victims of confidential reporting options and offer referrals to resources.

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Section 4: Review and Guidance - continued

Additional Guidance and Resources

You can get additional information and advice from your campus Clery Act Coordinator

- **Listing of University of California Clery Coordinators:**

<http://www.ucop.edu/ethics-compliance-audit-services/compliance/clery-act/campus-reporting-and-contacts.html>

- Guidance is also available in the U.S. Department of Education Handbook for Campus Safety and Security Reporting.

<http://www2.ed.gov/admins/lead/safety/handbook.pdf>

- Also refer to the 2013 CANRA (Child Abuse and Neglect Reporting Act) and the University's policy on Reporting Child Abuse and Neglect.

<http://policy.ucop.edu/doc/4000603>



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University of California Office of Ethics, Compliance and Audit Services

<http://www.ucop.edu/ethics-compliance-audit-services/index.html>

THANK YOU

