

# Campus Security Authority Training and Reporting Requirements

# Clery Act

The “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act”, commonly referred to as the “Clery Act”, is a federal law that requires institutions of higher education in the United States to disclose campus security information including crime statistics for the campus and surrounding areas.

# Purpose of the Clery Act

To provide students and their families with accurate, complete and timely information about crime and campus safety so that they can make informed decision.

# Consequences for Violating the Clery Act

- Loss of Title IV funding (financial aid)
- \$55,000 fine per violation



# Requirements of the Clery Act

- Identify Campus Security Authorities (CSAs)
- Determine Cottey's Clery Geography
- Collect Clery Crime Statistics
- Issue Timely Warnings & Emergency Notifications
- Maintain Crime/Fire Log
- Publish the Annual Security & Fire Safety Report
- Submit crime/fire statistics to the US Department of Education

# Identifying Campus Security Authorities

In order to ensure all criminal activity is disclosed, the Clery Act requires Cottey to identify individuals and organizations to which crimes may be reported as a result of their position with the College.

These individuals and organizations are called Campus Security Authorities (CSAs).

If you're participating in this training, Cottey has identified your position as a CSA and you have specific responsibilities that are required by federal law!

# The following individuals and organizations are Campus Security Authorities

1. Members of the Cottey Security Department
2. Individuals who have responsibility for campus security but are not members of the Security Department. An example would be an individual that monitors the entrance into buildings and property or acts as event security.
3. An individual or organization specified in the institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses. Cottey has designated this to be the Cottey Security Department.
4. 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. Examples include deans, directors, department heads, coaches, trainers, hall directors, resident assistants, academic advisors, and faculty advisors to student groups.

The following individuals are not considered CSAs.

1. A faculty member who does not have any responsibility for students and campus activity beyond the classroom
2. Clerical or cafeteria staff
3. Facilities or maintenance staff
4. Any support position that does not have significant responsibility for students and campus activities
5. Pastoral & Professional Counselors

# CSA Responsibilities

CSAs are required to notify the Cottey Security Department of **alleged** Clery crimes **reported to them** that were made in good faith. These reports will be used by Cottey to:

- Fulfill its responsibility to annually disclose accurate Clery crime statistics
- To issue or facilitate the issuance of timely warnings or emergency notifications for crimes that pose a serious or continuing threat to the campus community
- Security personnel will enter the information on the daily crime log

# CSA Responsibilities

- CSAs should provide information to the person seeking assistance on how to report a crime
  - ✓ The CSA should follow up with the Director of Safety and verify the crime was reported
- If the person does not want to contact police or make a formal report, the CSA should report the crime to the Cottey Security Department/Director of Safety
- Let the victim or **reporting party** know help is available, we can attempt to keep confidential victim information **(PII)**.

# NOT a CSA's Responsibility!

- Investigating a crime
- Determining whether a crime occurred
- Apprehending criminals



The following information should be obtained from anyone reporting a crime to a CSA.

- Who was involved
- What occurred
- Where did it occur
- When did it occur
- How did it occur

The answers to these questions can provide valuable information that will assist in the:

- criminal investigation
- annual reporting requirements
- the issuance of a timely warning if appropriate.

# Clery Crimes that occur in the Clery geography below are required to be reported

- On Campus: property owned or controlled by the college that is reasonably contiguous to one another and directly supports or relates to the institution's education purpose (main campus). Examples include Main Hall, Residence Halls, Academic Buildings, BIL Lodge, and Cottey grounds.
- Public Property: thoroughfares, streets, sidewalks, and parking lots that is within campus grounds. Or immediately adjacent to and accessible from the campus. Examples include portions of Austin Blvd., Sycamore, Tower, Cherry, Chestnut, and Maple. Campus to the President's residence on Cherry and College from Campus to BIL Lodge.
- Non-campus: any building or property owned or controlled by the institution or an officially recognized student organization that is frequently used by students and is not within the same reasonably contiguous geographic area of the institution. Examples include contracted student lodging at athletic event, or trip to another country.



# Any Clery crime listed below that is reported to a CSA must immediately be reported to the Police

Murder/non-negligent manslaughter

Sex offenses

Aggravated assault

Motor vehicle theft

Domestic Violence

Stalking

Negligent manslaughter

Robbery

Burglary

Arson

Dating Violence

Hate crimes

# Clery Act Crime Definitions

**Murder/Non-Negligent Manslaughter**: The willful (non-negligent) killing of one human being by another.

**Negligent Manslaughter**: The killing of another person through gross negligence.

## **Sexual Offenses**:

A. **Rape**: Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

B. **Fondling**: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity

B. **Incest**: Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law

D. **Statutory Rape**: Nonforcible sexual intercourse with a person who is under the statutory age of consent

**Robbery**: The taking or attempting to take anything of value from the care, custody or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Aggravated Assault**: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

**Burglary**: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

**Motor Vehicle Theft**: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned - including joy riding).

**Arson**: The willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling, house, public building, motor vehicle or aircraft, or personal property of another, etc.

**Dating Violence**: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

**Domestic Violence**: A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Stalking**: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress.

- Course of conduct means two or more acts, including, indirectly, or through third parties, by an action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

## Hate Crimes

We are also required to report statistics for bias-related (hate) crimes by the type of bias as defined below for the following classifications: murder/non-negligent manslaughter, negligent manslaughter, sex offenses (forcible and non-forcible), robbery, aggravated assault, burglary, motor vehicle theft, arson (see definitions on the previous slides) and larceny-theft, destruction/damage/vandalism of property, intimidation, and simple assault.

**Larceny-Theft (Except Motor Vehicle Theft)**: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

**Destruction/Damage/Vandalism of Property**: To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

**Intimidation**: To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

**Simple Assault**: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

Categories of bias include the victim's actual or perceived: race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

We are also required to report arrests or persons referred for disciplinary action for the following violations:

**Weapons: Carrying, Possessing, Etc.:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

**Drug Abuse Violations:** The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

**Liquor Law Violations:** The violation of State or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

## Timely Warning

Cottey must issue a timely warning for any clery crime that occurs on Cottey's clery geography and is considered to represent a serious or continuing threat to students and employees. Timely warnings are generally distributed via text messages and email.

## Emergency Notification

Cottey must initiate emergency notification procedures for any significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. Notification systems include verbal, text, fire alarms, tornado sirens, etc.



# Daily Crime/Fire Log

Cottey must maintain crime and fire log and make it available for public inspection. Log must include:

- Date crime/fire reported
- Date and time crime/fire occurred
- Nature of crime/fire
- Location of crime/fire
- Disposition of crime

The Cottey crime log is available at the Physical Plant

The Cottey fire log is available at the Physical Plant

# Reporting of Fires for the Fire Log:

- Inside Campus Housing Facilities
- Report to Campus Security
- Do not include candles – these are reported as minor violations of student conduct

# Annual Security and Fire Safety Report

Requirements for the report:

- Multiple policy statements
- Crime statistics and disciplinary referrals for past 3 years
- Fire statistics for past 3 years
- Must be published by October 1

Report available online at:

<http://cottey.edu/media/361445/safetyandsecurityreport.pdf>

## Submit crime/fire statistics to the US Department of Education

- In the fall of each year Cottey submits crime/fire statistics to the Department of Education.

## Reporting Crimes to the Cottey Safety Department

- If nothing is or has been reported to you, there is no need to do anything.
- To report a crime solely for purposes of including it in the university's annual crime statistics in accordance with Clery Act requirements notify Campus Security, The Director of Safety, or The Department of Student Life. Campus crime statistics are published each fall semester in the university's Annual Security Report. **In the event of an emergency situation that poses a continuing or immediate threat to the campus community or a crime in progress requiring medical, law enforcement, or fire department assistance call 911 on your cell phone or on a Cottey phone.**
- Anyone wishing to make a police report or initiate a police investigation must contact the Nevada Police Department directly by phone or by visiting the Nevada Police Department next to city hall 120 South Ash.

Nevada Police Department

120 S. Ash St.

Nevada, MO 64772

Non-emergency: 417-448-2710

Emergency: 911

- If you have any questions please contact the Director of Safety, Clery, and Title IX Compliance, located in the physical plant or by calling extension 2292 or by email at [mburger@cottey.edu](mailto:mburger@cottey.edu).

# Important Links

Annual Security & Fire Safety Report:

[http://www.cotley.edu/pdf/security/Working/ASR\\_CURRENT.pdf](http://www.cotley.edu/pdf/security/Working/ASR_CURRENT.pdf)

Timely warnings:

Cotley Security (417) 448-4168

City of Nevada & Vernon County Dispatch (417) 448-2710

Daily crime log:

Available in the physical plant at the security desk

Clery Handbook:

[www2.ed.gov/admins/lead/safety/handbook.pdf](http://www2.ed.gov/admins/lead/safety/handbook.pdf)

