

STOCKTON UNIVERSITY



PROCEDURE

Clery Act Compliance

Procedure Administrator: Director of Campus Public Safety
Authority: Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), 20 U.S.C. § 1092(f)
Effective Date: September 10, 2020
Index Cross-References:
Procedure File Number: 6930
Approved By: Dr. Harvey Kesselman, President

Stockton University is required to be in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), 20 U.S.C. 1092(f).

The primary office responsible for Stockton University's compliance with the Clery Act is the University Police Department, administered by the Director of Campus Public Safety.

DEFINITIONS:

1. Campus Security Authority (CSA): a Clery Act-specific term which encompasses four groups of individuals and organizations associated with an institution, as follows:
 - a. A campus police department or a campus security department of an institution.
 - b. Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department.
 - c. 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.
 - d. 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. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.
2. Clery Geography: a Clery Act-specific term, which encompasses three categories as follows:
 - a. On campus: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's

educational purposes, including residence halls; or any building or property that is within or reasonably contiguous to the area identified above, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

Stockton has several locations which are considered to be separate campuses; statistics for these campuses are reported separately in the Annual Security and Fire Safety Report (ASFSR). On campus housing is a subset of the on-campus category.

- b. Non-campus: Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution. This includes certain travel locations.
 - c. Public property: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.
3. Clery Act Crimes: Crimes required by the Clery Act to be collected, classified and counted annually and reported to the University community in the ASFSR, including murder/non-negligent manslaughter; manslaughter by negligence; sexual assault, including rape, fondling, incest and statutory rape; robbery; aggravated assault; burglary; motor vehicle theft; arson; the crimes of larceny-theft, simple assault, intimidation and destruction/damage/vandalism of property, if classified as a hate crime; domestic violence; dating violence; stalking; and arrests and institutional disciplinary referrals for weapons, drug, and liquor law violations.

PROCEDURE:

The Clery Compliance Coordinator, under the direction of the Director of Campus Public Safety, will work collaboratively and closely with other departments including, but not limited to, Student Affairs, Care and Community Standards, Residential Life, Financial Aid, Human Resources, Risk Management, the Women's, Gender and Sexuality Center, Athletics, the Counseling Center, University Relations and Marketing, as well as local law enforcement agencies, to ensure compliance with the Clery Act as follows:

1. The University Police Department will publish an ASFSR which contains required definitions, policy statements, and three years of Clery Act Crimes and fire statistics. On or before October 1st of each calendar year, the University Police Department will publish the ASFSR and notify all current students, faculty, and staff of its availability, including a brief description of the content, the exact link to its location on the University website, and information on how to obtain a paper copy of the report. The Offices of Admissions and Human Resources will also provide information in recruitment materials distributed to prospective students and employees regarding the availability, content, and location of the ASFSR.
2. The University Police Department will maintain a daily crime log on each campus, as required, of all crimes which occur on University Clery Geography and within the University Police patrol jurisdiction, and which are reported to

- the University Police Department, campus security, any CSA or local law enforcement.
3. The University Police Department will maintain a daily fire log of all fires which occur in campus residential facilities on campuses with residential buildings.
 4. On an annual basis, the Clery Compliance Coordinator will collect, classify, and count statistics of Clery Act Crimes reported to CSAs, University Police, and other law enforcement agencies having jurisdiction for specific University Clery Geography. These statistics will be included in the ASF SR and reported to the Department of Education via a web-based platform.
 5. On an annual basis, the Clery Compliance Coordinator will, with assistance from the Office of Human Resources, the Office of Student Affairs, Athletics, and other departments, identify and notify individuals of their status as a CSA and provide training regarding the CSA's duty to report specific Clery Act Crimes they witness or that are reported to them, and which occurred on University Clery Geography.
 6. The University will issue emergency notifications to alert the community about significant emergencies or dangerous situations occurring on campus which involve an immediate threat to the health or safety of students or employees.
 7. The University will issue timely warnings to alert the community about any Clery Act Crimes, reported to a CSA or local police agency, which occurred on University Clery Geography and are considered by the University to pose a serious or continuing threat to the campus community.
 8. The University will provide educational programming regarding the awareness and prevention of sexual assault, domestic violence, dating violence, and stalking to all incoming students and employees and provide follow up programming throughout the year.
 9. The University will have specific procedures in place for institutional disciplinary action in cases of domestic violence, dating violence, sexual assault, and stalking (see the University's Code of Conduct).
 10. The University will have specific procedures in place regarding fire safety and missing residential students for campuses with on-campus housing.

Timely Warning:

A timely warning will be issued if a Clery Act Crime, which was reported to a CSA or to local police, and which occurred on University Clery Geography, is determined to pose a serious or continuing threat to the campus community.

The Director of Campus Public Safety, in conjunction with the Vice President for Student Affairs and/or the Vice President for Facilities and Operations, will make the determination, on a case-by-case basis, if such a threat exists and whether to issue a timely warning. The decision to issue a timely warning is based on many factors, which include, but are not limited to, the seriousness of the crime, the timeliness of the report, whether a suspect has been apprehended or arrested, continuing threat to the community, whether or not there is pertinent information to provide a timely warning, and any possible risk to law enforcement efforts. Information may be garnered from various sources and/or agencies, both on and off campus.

Timely warnings may not be issued if the threat of continuing danger has been mitigated

by an arrest, if issuing such a warning would compromise law enforcement efforts, if the timing of a crime report would not allow a notification to be issued in a timely manner, or if a CSA or the police department was not made aware a Clery Act Crime had occurred on University Clery Geography.

The Director of Campus Public Safety will determine the content of the warning, which may include: the type of crime, date and location of the incident, suspect information (if appropriate), any weapons used or injuries to the victim, whether an arrest was made, whether the victim is a member of the Stockton community, crime prevention tips relevant to the type of crime, and any other pertinent information which would promote safety and aid in the prevention of similar crimes. Certain information may not be released if doing so could potentially interfere with a law enforcement investigation or compromise the safety of the victim.

The timely warning will be issued as soon as reasonably practical and when pertinent information is available, in order to aid in the prevention of similar crimes and to enable community members to take appropriate action to protect themselves.

The timely warning will be disseminated by the Office of University Relations and Marketing via email and/or be posted on the University website, with the approval of the Vice President for Facilities and Operations and/or the Vice President for Student Affairs. Warnings may also be disseminated in other ways, such as text messaging, sign boards, etc. A timely warning may be issued directly by University Police with the approval of the Director of Campus Public Safety. If the officer in charge (OIC) of the police department believes a timely warning should be issued immediately for the safety of the community, they may proceed after approval from the Director of Campus Public Safety or designee. Status updates may be sent as necessary via email, text message, or posted on the University website.

The University is not required to issue a timely warning with respect to crimes reported to professional counselors at the Wellness Center and Women's, Gender and Sexuality Center, advocates at the Women's, Gender and Sexuality Center when acting in the sole capacity of a counselor, and other confidential persons such as a pastoral counselor.

Although the Clery Act requires a timely warning for Clery Act Crimes that represent a serious or continuing threat to the community, non-Clery Act Crimes will be evaluated on a case-by-case basis for the issuance of a timely warning.

Emergency Notifications:

Emergency notifications will be issued in the event that a significant emergency or dangerous situation occurs on campus that involves an immediate threat to the health or safety of students or employees. Examples of significant emergencies or dangerous situations include, but are not limited to: fire in an on-campus building; outbreak of meningitis, norovirus, or other serious illness; approaching tornado, hurricane, or other extreme weather conditions; earthquake; gas leak; terrorist incident; active shooter; armed intruder; bomb threat; explosion; civil unrest or rioting; or a nearby chemical or hazardous waste spill.

The emergency notification is required by the Clery Act for on-campus property but may also be issued for incidents at non-campus property (e.g, a sinkhole on a municipal street near campus), if deemed necessary.

The Director of Campus Public Safety, in conjunction with the Vice President for

Facilities and Operations, will make a determination if a significant emergency or dangerous situation exists by taking into consideration many factors, which include, but are not limited to: the nature of the emergency, location, and whether there is an immediate threat to the health and safety of the community. The Director of Campus Public Safety will determine the content of the notification, which may include: the type of event, general location, and what actions should be taken by community members.

The emergency notification will generally be disseminated by the Office of University Relations and Marketing via email, text message, and/or be posted on the University website, with the approval of the Vice President for Facilities and Operations, but may also be disseminated in other ways, such as sign boards. Emergency notifications may be issued to a segment of the community affected by the incident or the entire campus community if there is at least potential that a very large segment of the community will be affected by a situation. An emergency notification may be issued directly by University Police, independently and/or with the approval of the Director of Campus Public Safety. The situation will be reassessed as necessary and status updates will be issued via select emergency communications systems/methods as appropriate and if warranted.

The emergency notification will be issued immediately upon confirmation of a significant emergency or dangerous situation, unless issuing a notification will, in the professional judgment of the responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. In the event of a failure in technology, the University may communicate using face-to-face communication. Members of the larger community, such as parents or campus neighbors, may receive information about emergencies on campus from local/national media and/or the University website.

Review History:

	Date
Procedure Administrator	06/23/2020
Divisional Executive	07/01/2020
General Counsel	08/07/2020
Cabinet	09/10/2020
President	09/10/2020