

A Campus Safety Report Card

Best Practices & Tips for Creating a Concise
Annual Security Report

SUNY Student Conduct Institute
Clery Week Day Three
February 3, 2023





Jeanne Clery Act

- Crime Awareness and Campus Security Act of 1990
- Campus Sexual Assault Victims' Bill of Rights (1992)
- Formally Named "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act" (1998)
 - Expanded Crime Reporting, Added Public Crime Log
- Campus Sex Crimes Prevention Act (2000)
- Higher Education Opportunity Act (2008)
 - Emergency Response & Evacuation, Missing Students, Fire Safety
- Violence Against Women Reauthorization Act of 2013
 - Repealed & Replaced 1992 Bill of Rights

Annual Security Report

“Say What You Do and Do What You Say”

- “An institution must prepare an annual security report reflecting its current policies” - 34 CFR §668.46(b)
- Separate Disclosures for Each Campus (May be Combined)
- ***Consumer Information***
- Hub for ALL Things Campus Safety
 - “Annual Campus Safety Report”
- 12 Policy Statements (11 Apply to All Institutions)
- 13th Best Practice Policy Statement
- Crime Statistics



Getting it Wrong has Consequences

- “Any failure by an institution to provide this information or to otherwise carry out its campus safety program in a transparent manner deprives the campus community members of vital information to which they are entitled, and effectively negates the intent of the law.”
 - U.S. Department of Education Program Review Findings, May 19, 2020
- ***\$67,544 Per Violation Fine***
- Indexed For Inflation Annually
 - Last Updated January 31, 2023



How is your
ASR
prepared
each year?

- A. Single Person/Office writes it alone
- B. A committee writes it
- C. A Single person/office writes it with materials submitted from other offices
- D. A Single person writes it in collaboration with other departments
- E. I don't know



Institutional Clery Act Committee (Best Practice)

- Focuses on Policy not Statistics
- Multidisciplinary
 - Campus Public Safety
 - Student Affairs
 - Residence Life
 - Greek Life
 - Athletics
 - Human Resources
 - Facilities
 - Legal Counsel

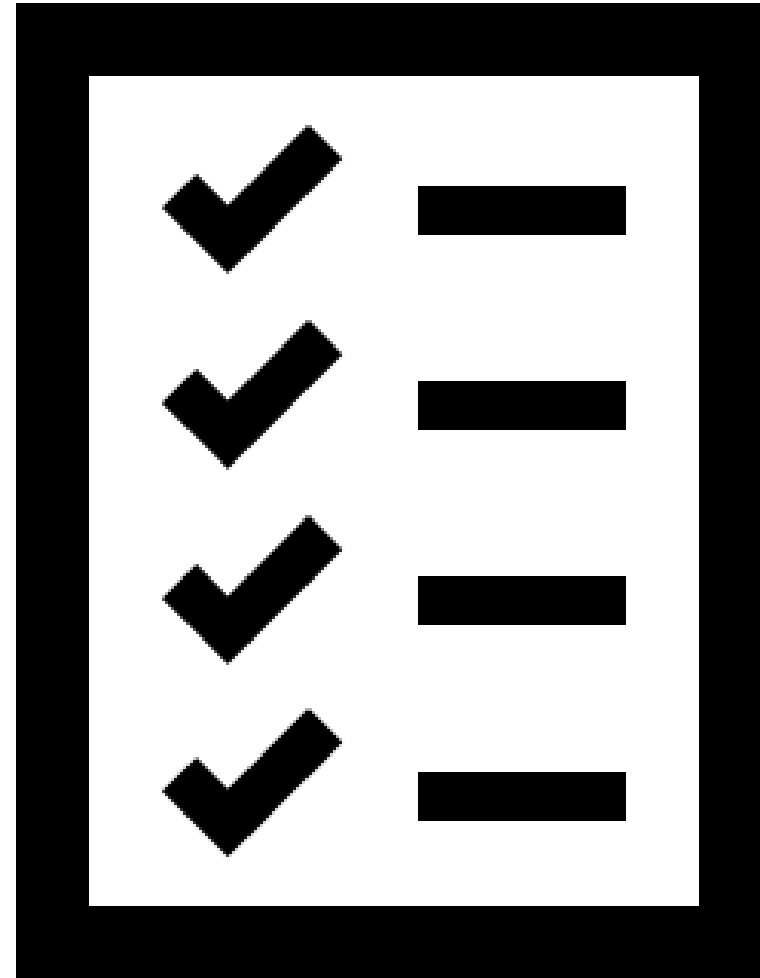
Extreme Makeover: Clery Act Edition

- Top-to-Bottom Review
- Verify Accuracy of Every Policy Statement
 - Track & Document Each Underlying Policy, Procedure, & Practice
- *Look at From Perspective of a High School Senior*
- Rewrite Policy Statements
 - *Utilize Institutional Communications Personnel*
- **Create New ASR**



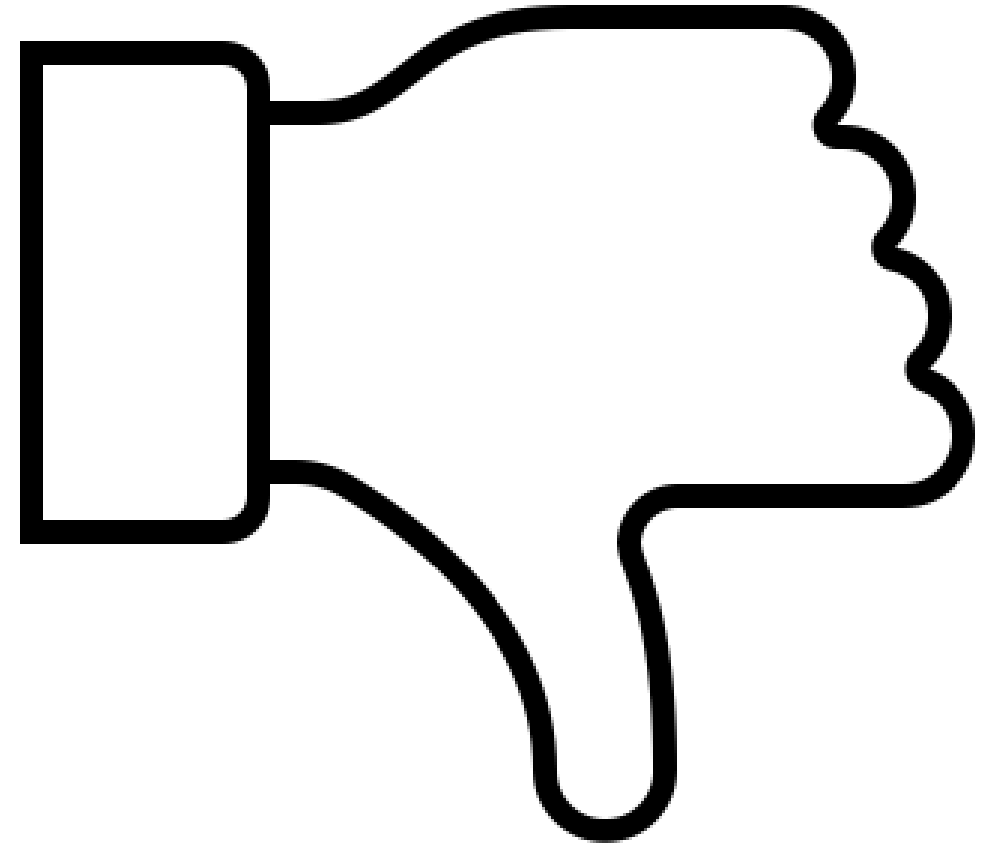
A Policy Statement Is

- Easily Understood
- Summary of Institutional Policy
- Accurate Reflection of Policy & Practice



A Policy Statement Isn't

- Copying & Pasting the Whole Policy Itself
- Merely a Recitation of Statutory and or Regulatory Language



Clery Act ASR Policy Statements

*ASR doesn't have to be
in this order.*

- Reporting Crimes or Emergencies
- Issuing Alerts
 - Timely Warnings
 - Emergency Notifications
- Preparing Crime Statistics
- Security of & Access to Campus Facilities
- Enforcement Authority of Campus Public Safety

Clery Act ASR Policy Statements

- Public Crime Log (Best Practice)
- Crime Awareness & Prevention Programming
- Alcoholic Beverages/Underage
- Illegal Drugs
- VAWA
- Sex Offender Registration
- Emergency Response & Evacuation
- Missing Students

Disclosures vs. Required Policies

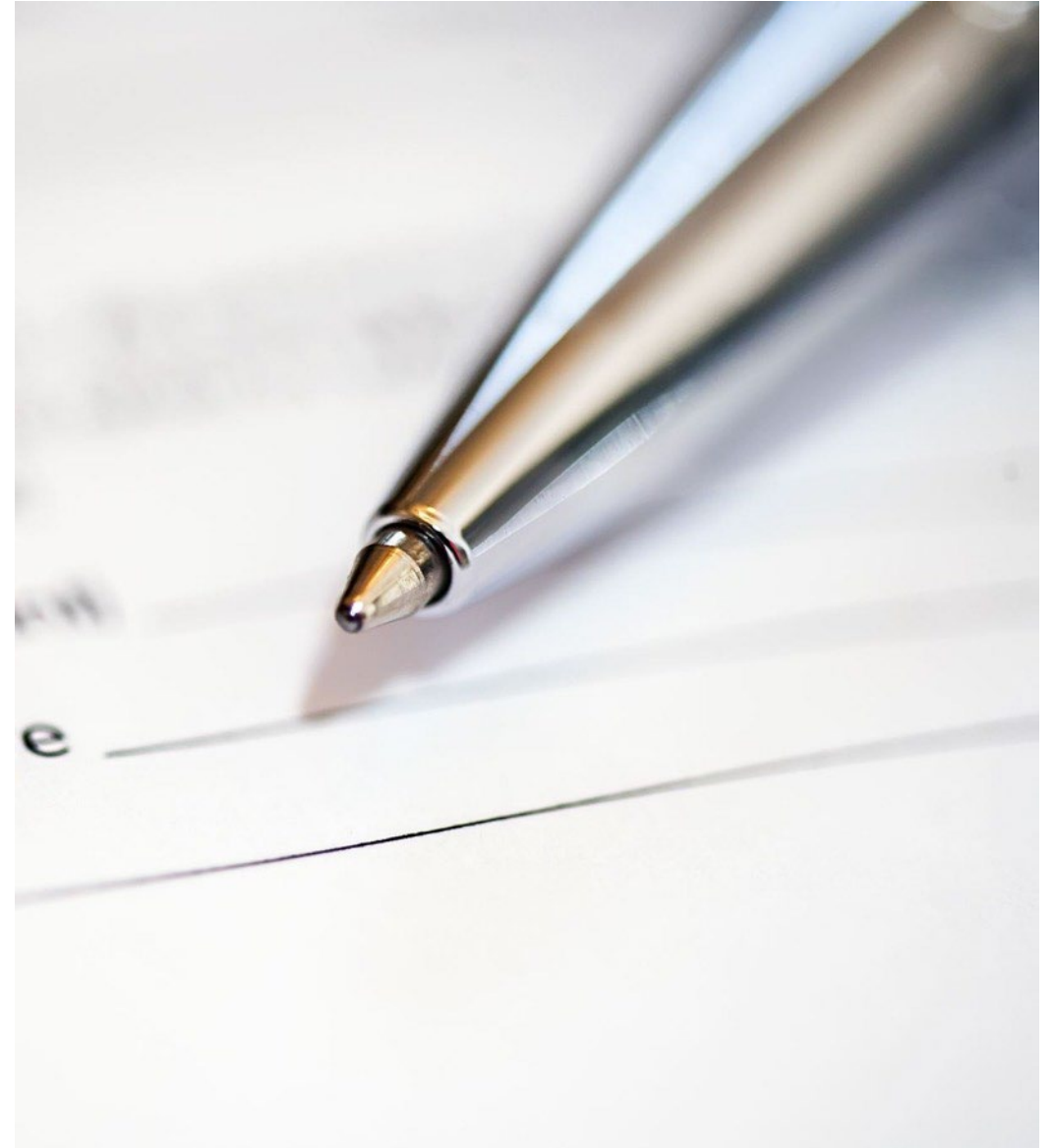
Some Require
Transparency

Others Require
Specific Policy
Elements

Alerts, VAWA, Missing
Students

Do...

- ✓ **Do – Create Policies for Each Covered Area**
- ✓ **Do – Ensure Policies Meet All Requirements**
- ✓ **Do – Reach All Departments/Offices**



Don't...

- × Don't – Rely Upon Existing Policy Without Checking Compliance
- × Don't – Use Policies From Only One Department

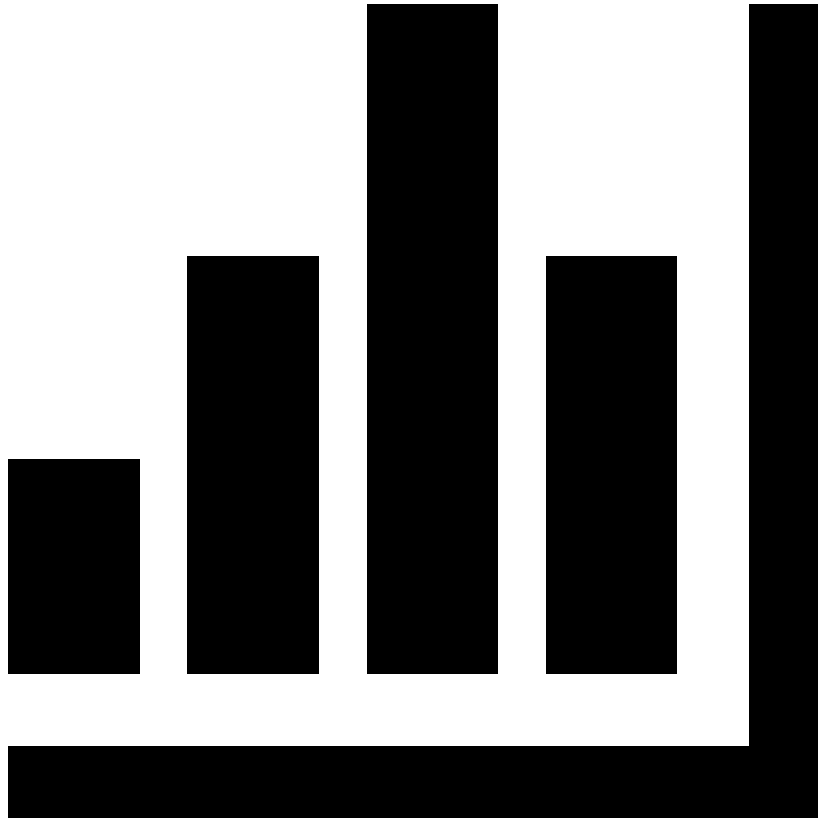
Reporting Crimes & Emergencies

- Campus Public Safety
- Institution Preferred Reporting Channels
- Disclose Contact Information
- Confidential Reporting
- Must Encourage Accurate/Prompt Reporting of Crimes to Law Enforcement
- ***Encourage prompt reporting. Offer options, empathy, dignity, and respect.***

Timely Warnings & Emergency Notifications

- *Separate Policies & Disclosures*
- Can Use Overlapping Channels but Elements Must Remain Distinct
- Timely Warning – Clery Crime Statistics
- Emergency Notification – Immediate Threat
- Institution-wide buy-in is essential!



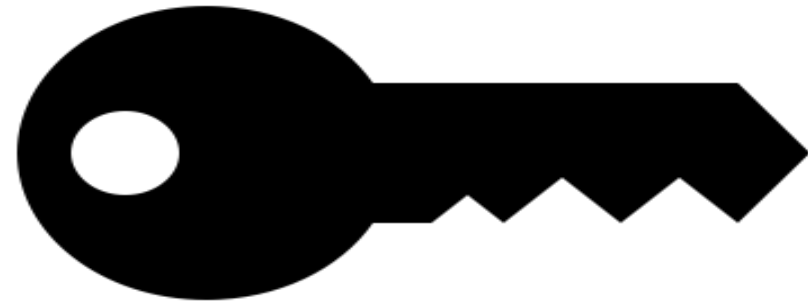


Preparing Crime Statistics (Not ASR)

- Structure
- Who is Responsible
- Who Information is Collected From
- How are They Trained?
- How Frequently is Information Collected?

Access to Campus Facilities

- **Federal**
 - Security of
 - Access to
 - Incl. Student Residential Facilities
 - *Security Considerations in Maintenance*
- **Other Areas**
 - Landscaping
 - Groundskeeping
 - Outdoor Lighting



*by students,
employees, guests
and other
individuals*

Campus Law Enforcement

- Enforcement Authority & Jurisdiction
- Arrest Authority
- Working Relationship w/Local Law Enforcement
- MOUs for Crime *Investigation*
 - Disclosure if there is no MOU



Public Crime Log (Best Practice)

- All Crimes Reported to Campus Public Safety
 - Must NOT “jeopardize the confidentiality of the victim”
- Entries Added Within Two Business Days
- Updated for 60 Days
- Archives Available Within Two Business Days
- Open to Public Inspection (Where)
- Regular Business Hours

Figure 6. Sample Daily Crime Log With Required Elements

**Daily Crime Log
Calendar Year 2015**

Nature (classification)	Case Number	Date/Time Reported	Date/Time Occurred	General Location	Disposition
Larceny	2015-0003	01/20/15 1505hrs	01/10/15 0800hrs	Admin. Building	Closed 05/24/15
Vandalism	2015-00010	01/27/15 1231hrs	01/17 - 01/22/15	Jacobson Hall	Closed 05/24/15
Vandalism	2015-00035	04/12/15 1937hrs	04/12/15 1930hrs	Lester Hall	Open
Liquor Law Violation	2015-0040	04/23/15 0300hrs	04/23/15 0300hrs	South Parking Lot	Judicial Referral
Simple Assault – Dating Violence	2015-0042	05/01/15 1735hrs	05/01/15 1735hrs	Smith Student Union	Closed 07/23/15

Educational Programming

- Institution Wide
- Type & Frequency
- **Campus Security**
- **Crime Prevention**
- Assessment

Educational Programming

- Summarize
- Institution-wide
 - Not just public safety
- *Show what you do*



Alcohol & Other Drugs

- Underage Drinking Laws
- Federal and State Drug Laws
- AOD Abuse Education Programs (DFSCA)
 - May Cross-Reference
- Assessment (Fed. Biennial)
 - Review, as a process
- *ASR is NOT sufficient for Primary DFSCA Disclosure to Students & Employees – Misses Students Enrolling in Another Academic Session & New Employees*



Which law or laws requires Institutions of Higher Education to Prohibit Sexual Assault?

- Title IX
- Clery Act/VAWA
- FERPA
- Title IX and Clery Act/VAWA



Which law or laws requires Institutions of Higher Education to Prohibit Sexual Assault?

- Title IX
- Clery Act/VAWA
- FERPA
- **Title IX and Clery Act/VAWA**





Violence Against Women Act

- Prevention
- Response
- Disciplinary Action

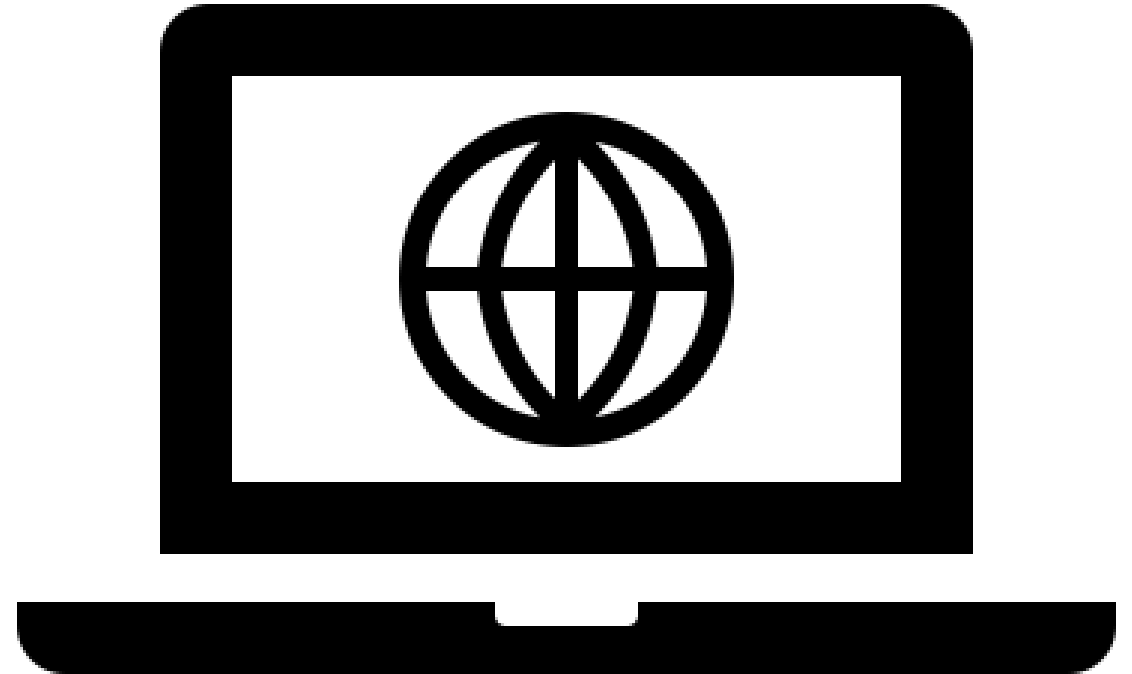
VAWA: Specific policies are required

MUST include a statement prohibiting:

- *Dating Violence*
- *Domestic Violence*
- *Sexual Assault*
- *Stalking*

Sex Offender Registration

- Usually a Web Link
 - Local
 - State
 - Federal



Emergency Response & Evacuation

- *Summary* of Emergency Management Plan
- Don't Disclose Confidential or Sensitive Operational Information
- Separate from emergency notifications (Must Include Summary)
- Annual Test (Must Be Planned)



Missing Students (On-Campus Student Housing)

- **Confidential Emergency Contact**
 - **Note that this might be different from a parent**
- **Who to Report to**
- **Investigation**
- **Notification of Local Law Enforcement & Confidential Contact**

Crime Statistics

- “An institution must report to the Department 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”
- 34 CFR §668.46(c)

Criminal Offenses	Year	Campus - Clery Geography				
		On Campus			Noncampus Building or Property	Public Property
		Student Housing Facilities	Other	On Campus Total		
Murder and Non-negligent Manslaughter	Year	X	X	X	X	X
	Year	X	X	X	X	X
	Year	X	X	X	X	X
Negligent Manslaughter	Year	X	X	X	X	X
	Year	X	X	X	X	X
	Year	X	X	X	X	X
Rape	Year	X	X	X	X	X
	Year	X	X	X	X	X
	Year	X	X	X	X	X




To Summarize

- ASR covers 13 policy areas
 - Some with specific policy requirements
- Coordinated, continuous, collaborative, institution-wide effort
- Senior leadership at state, institution, and department levels
- Create a Process, not a document
- “Say what you do. Do what you say”



ASR Publication

- October 1st Publication Deadline
- May Publish on Website
- Provide Copy or Direct Notice to Current Students & Employees
- Provide Notice to Prospective Students & Employees
- May Combine With Annual Fire Safety Report
- ***Recommendation: Publicize***
 - Press Release
 - Social Media
 - National Campus Safety Awareness Month Programming (September)



Achieving safe
campuses is more
than checking a box
and it takes the
whole institution to
comply.

Questions?



Follow-Up

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He | Him | His

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