

# CLERY ACT



# HISTORY

- 1990-Crime Awareness and Campus Security Act
  - *Title IV*
- Amended
  - *1992, 1998, 2000, 2008*
  - *1998-Renamed Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*
- Violence Against Women Reauthorization Act of 2013



# Criminal Offenses

- Homicide
  - *Murder and Non-negligent Manslaughter*
- Manslaughter
- Sexual Assault
  - *Rape, Fondling, Incest and Statutory Rape*
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson

# HATE CRIMES (MOTIVATED BY BIAS)

- In addition to the Criminal Offenses
  - *Larceny-Theft*
  - *Simple Assault*
  - *Intimidation*
  - *Destruction/Damage/Vandalism of Property*



# VAWA REPORTING

- Dating Violence
- Domestic Violence
- Sexual Assault
- Stalking



# Arrest and Referrals for Disciplinary Action

- Weapons-Carrying, Possessing
- Law Violations
- Drug Abuse Violations
- Liquor Law Violations



# CRIME Reporting


- A crime is “reported” when it is brought to the attention of a campus security authority, the institution’s police department or campus safety office, or local law enforcement personnel by a victim, witness, other third party or even the offender.



# What must be REPORTED

- “REPORTS” of alleged Criminal Incidents
  - *Does not have to be investigated by law enforcement*



 **Cuesta College**  
**Student Incident Report**

The purpose of this report is to keep entities on Cuesta College campuses, or any other college instructional site, informed about incidents involving student misconduct. Refer to the Student Code of Conduct on the reverse of this form. **Please submit report within 24 hours of incident. Report should be hand delivered or FAXed to expedite processing.**

Student Name: Last, First, Middle			Student ID # (if available)	
Location of occurrence: Bldg:	Room:	Time:	Incident Date:	
Reported by:	Report Date:	Division:	Ext:	CRN #:
Type of Behavior(s) Exhibited: Inappropriate <input type="checkbox"/> Disruptive <input type="checkbox"/> Immediate Threat <input type="checkbox"/>			Informational Reporting <input type="checkbox"/> Judicial Action Requested <input type="checkbox"/>	
Code Violation(s): <small>(Select the appropriate violation code from the Student Code of Conduct descriptions of unacceptable conduct on the reverse of this form and enter that code on the blank line.)</small>				
Narrative/Description: <small>(Please provide a factual account of the incident. Supporting documentation may also be submitted for review)</small>				
				Date:
Reporter's Signature: _____				
Forward to: <input type="checkbox"/> Vice President of Student Services (Bldg 3100, Room 3174, 846-3116, FAX 846-3996) <input type="checkbox"/> Exec. Dean, NCC & SCC (Bldg 3400, 391-6220, FAX 391-6373)				

VPSS\Student Incident Report Form.doc 09/12/08



# Campus Security Authorities-CSAs

- Campus Police or Campus Security
- Any individual who have responsibility for campus security
- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which student and employees should report criminal offenses.
- 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.

# Specific Examples Provided in the Handbook

- Dean of Students
- Director of Athletics
- All Athletic Coaches including PT employees and grad. assistants
- Faculty student group advisors
- Title IX coordinator
- Ombudsperson
- Law Enforcement

# What do CSAs Do??

- The function of a campus security authority is to report to the official or office designated by the institution to collect crime report information, such as the campus police or security department, those allegations of Clery Act crimes that he or she receives.



How are you going to accomplish the reporting function?



# www.nwfsc.edu/disputes

The screenshot shows the Northwest Florida State College website. At the top left is the college logo and name. Below it is a navigation bar with links for 'D2L', 'Catalog', 'Class Search', 'Calendar', 'Email', and 'Redirect'. A secondary navigation bar contains 'FUTURE STUDENTS', 'CURRENT STUDENTS', 'ACADEMICS', 'CAMPUS LIFE', 'COMMUNITY', and 'ABOUT NWF'. A red box at the top contains the text: 'NOTE: This page contains PDF files - please make sure you have a PDF Viewer to access the content.' Below this is a red button labeled 'Notice of Equal Access / Equal Opportunity and Non-discrimination'. The main content area is divided into two columns. The left column features a 'Formal Grievance / Appeal' section with a description, a 'GRIEVANCE FORM' button, a 'LEARN MORE' button, and a 'POLICY' button. The right column features a 'Student Code of Conduct' section with a description, a 'STUDENT CODE OF CONDUCT' button, a 'LEARN MORE' button, and a 'POLICY' button. Below these are two more sections: 'Incident and Injury Report' with a description, 'INCIDENT REPORT' and 'INJURY REPORT' buttons, and a note that 'Supervisors must complete the Injury Form for on-the-job related accidents.', and 'Discrimination and Sexual Harassment Complaint' with a description, a 'DISCRIMINATION' button, and a 'POLICY' button. A final red box at the bottom contains the same PDF viewer note as at the top.

A large black callout bubble highlights a specific section of the website. Inside the bubble is a white box with a black border. At the top is the section title 'Incident and Injury Report'. Below it is a paragraph: 'Please use this form to report any incident or information that you would like to report to the college. If you have been injured on college property or during a college sponsored event, please utilize this form.' This is followed by a red button labeled 'INCIDENT REPORT', a grey button labeled 'INJURY REPORT', a paragraph stating 'Supervisors must complete the Injury Form for on-the-job related accidents.', and finally a red button labeled 'POLICY'.

# Incident Report



## Incident/Injury Report

\* indicates a required field

All members of the college community should use this report if you are reporting a personal injury that occurred on college property, during a college sponsored event or during a classroom/clinical activity (including "needle sticks", burns, machine related injuries, physical injuries that occur during physical training, etc.)

### Background Information

Please complete all fields.

Your full name:

Your position/Title:

Your phone number:

Your email address:

\* Nature of this report:

\* Date of incident:  must be formatted YYYY-MM-DD

Time of incident:  :  :

\* Location of incident:

Room Number:

### Involved Parties

In this section please list all of the following persons if appropriate: injured party, supervisor and witnesses. Please include yourself as the reporter.

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="button" value="Add another person"/>			

### Questions

Please answer all questions. If unable, please enter NA.

\* Please describe the details of the incident.

[Check Spelling & Preview](#)

\* Was Law Enforcement notified?

- yes  
 no  
 not sure

\* Was medical assistance provided?

- yes  
 no

# Scenario 1

- A staff member who has been identified as a CSA is told by a student that she is being stalked by another student on-line.

The Staff Member must:

A-Recommend the victim file a police report.

B-Encourage the victim to complete a college incident report

C-Complete a college incident report themselves

D-Has NO reporting requirements

C-Complete a college incident report themselves

# Scenario 2

- A student mentions to her boyfriend that a number of cars in the parking lot were broken into during the previous night's basketball game. Later that day, her boyfriend tells the athletics director (AD) what he heard. The AD asks which parking lot it was and what, if anything else, the boyfriend knows about the incident.

The Staff Member must:

- A-Recommend the victim file a police report
- B-Encourage the victim to complete a college incident report
- C-Complete a college incident report themselves
- D-Has NO reporting requirements

C- Complete a college incident report themselves



# Scenario 3

- A faculty advisor, is attending an event at the Mattie Kelly Art Center. She attends the event as a participant. During intermission she overhears another staff member talking with another person and hears the staff member say that she was sexually assaulted on campus last year.

The Staff Member must:

- A-Recommend the victim file a police report.
- B-Encourage the victim to complete a college incident report
- C-Complete a college incident report themselves
- D-Has NO reporting requirements

**D-Has NO reporting requirements**

# CSAs are NOT responsible for:

- CSAs are not responsible for investigating or reporting incidents that they overhear students talking about in a hallway conversation; that a classmate or student mentions during an in-class discussion; that a victim mentions during a speech, workshop, or any other form of group presentation; or that the CSA otherwise learns about in an indirect manner.

Questions?

Thanks for Coming