Clery Act Policy

ROWAN UNIVERSITY POLICY

Title: Compliance with Clery Act Policy
Subject: Public Safety
Policy No: PS:2021:02
Applies: University-Wide
Issuing Authority: Department of Public Safety
Responsible Officer: Associate Director for Clery Compliance/Clery Act Compliance Officer
Adopted: 05/14/2021
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Last Reviewed: 09/1/2023

I. PURPOSE

The purpose of this policy is to ensure that Rowan University ("the University") complies with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998*, more commonly referred to as the Clery Act, at all University locations.

The University is committed to creating and maintaining a safe and secure environment for current members of the University community, as well as for prospective students, their parents, and employees on all our campuses. Compliance with the Clery Act is one way in which the University endeavors to accomplish this goal. Clery Act compliance is a shared institutional responsibility across all departments and campuses.

II. ACCOUNTABILITY

The Associate Director for Clery Compliance/Clery Act Compliance Officer, as well as other managers responsible for campus safety, shall implement and ensure compliance with this policy.

III. APPLICABILITY

This policy applies to all members of the Rowan University community as well as all individuals who are on University premises or on any other property where University business occurs.

IV. DEFINITIONS

1. Campus Security Authority (CSA):
    a. Campus Security Authorities are individuals at the University who, because of their function for the University, have an obligation under the Clery Act to notify the University of alleged Clery Crimes that are reported to them in good faith, or alleged Clery Crimes that they may personally witness. Campus Security Authority is a Clery Act- specific term that generally encompasses four groups of individuals and organizations associated with an institution, including:
        i. A campus police department or a campus security department of an institution.
        ii. Any individual or individuals who have responsibility for campus security but who do not constitute the campus police department or campus security department.
        iii. 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.
        iv. An official of the University who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and (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).

b. Examples of CSAs include, but are not limited to:
    i. Police and Security Personnel
    ii. Athletic Directors
    iii. Athletic coaches
    iv. Title IX Coordinators
    v. Faculty advisors to student organizations
    vi. Coordinators of Greek Life

2. Clery Act Crimes ("Clery Crimes"):
   Crimes the Clery Act requires to be reported annually to the University community, including: criminal homicide (murder and non-negligent manslaughter and manslaughter by negligence); sex offenses (rape, fondling, incest, statutory rape), robbery; aggravated assault; burglary; motor vehicle theft; arson; stalking; domestic and dating violence; hate crimes (including larceny-theft, simple assault, intimidation, or destruction/damage/vandalism of property that are motivated by bias); and arrests and referrals for disciplinary action for any of the following: (a) liquor law violations, (b) drug law violations, and (c) weapons law violations.
3. Rowan Alert (Emergency Notification):
   A mass notification to inform the University community about a "significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus." A Rowan Alert may include both Clery Act crimes and other types of emergencies, such as an active shooter on campus, fire/explosion, infectious disease outbreak, terrorist attack, hostage/barricade situation, biological threat, natural disaster, or weather emergency. Please note that if the University issues a Rowan Alert, it may not issue a Rowan Timely Warning for the same circumstances.
4. Missing Student Notification:
   The University has provided a list of titles of persons and offices to which students, employees, or others, can contact if they have reason to believe a student has been determined to be missing. See Missing Student Policy. There is no requirement that the reporting person wait for any period of time to report the missing student. The amount of time a student is thought to be missing does not matter. The intent of this notification process is to direct others who believe a Rowan University student is missing to immediately notify specific staff in the University administration, Public Safety, and local law enforcement.
5. Pastoral Counselors:
   Individuals who are associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor. Pastoral Counselors are not CSAs when acting within the scope of their official responsibilities.
6. Professional Counselors:
   Individuals whose official responsibilities include providing mental health counseling to members of the institution's community and who are functioning within the scope of the counselor's license or certification. This definition applies even to professional counselors who are not employees of the institution but are under contract to provide counseling at the institution. Professional Counselors are not CSAs when acting within the scope of their official responsibilities.
7. Reasonably Contiguous:
   Buildings or property owned or controlled by the University, located in an area that is considered and treated as an integral part of campus by the University and students, and covered by the same security policies as the main campus.
8. Rowan Timely Warning: An announcement sent usually by email through the University's mass notification system to alert the campus community about Clery Crimes as soon as the pertinent information is available. When available and/or appropriate, a Rowan Timely Warning will include the date and time of the incident, a brief description of the incident, information that will promote safety and potentially aid in the prevention of similar crimes, and Rowan Public Safety contact information.
9. Clery Act Compliance Officer:
   An individual who works in collaboration with various offices at the University to develop, implement, and oversee programs that ensure the University is both in compliance with the Clery Act and associated regulations at all University locations.

V. POLICY

1. Background:
   The Clery Act is a consumer protection law requiring all colleges and universities receiving federal funding to share information about crime on campus and the efforts to improve campus safety, as well as inform the public of crime in or around university facilities. This information is made publicly accessible through the University's website, Daily Crime and Fire Logs and the Annual Security and Fire Safety Report.
2. General Information:
   In accordance with the Clery Act, and applicable Department of Public Safety General Orders, the University will:
   a. Issue Rowan Timely Warnings to alert the campus community of Clery Crimes that occurred on the University's campuses, in or on non-campus buildings or property, or on public property within the campus or immediately adjacent to and accessible from the campuses and that pose a serious or continuing threat to the campus and surrounding community. Rowan Timely Warnings will be disseminated throughout the community usually by email as soon as pertinent information is available and will provide information that will allow the community to take precautions to protect themselves and prevent similar crimes from occurring.
   b. Issue Rowan Alerts to inform the campus community upon confirmation about a “significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus." An “immediate” threat includes an imminent or impending threat, such as approaching extreme weather.
   c. Maintain a daily crime log of all criminal incidents reported to Rowan Public Safety that occurred on the University campuses, in or on non-campus buildings or property, or on public property within the campus or immediately adjacent to and accessible from the campuses. The log for the most recent 90-day period will be available for public inspection online at the Department of Public Safety website and upon request for logs older than ninety days.
   d. Maintain a daily fire log of all fires reported in campus student housing facilities. The log for the most recent 90-day period will be available for public inspection online at the Department of Public Safety website and upon request for logs older than ninety days.
   e. Compile and disclose statistics of reports on the types of Clery Crimes that occur on the University's campuses, in or on non-campus buildings or property, or on public property within the campus or immediately adjacent to and accessible from the campuses.
   f. Collect reports of Clery Crimes made to the Department of Public Safety, local law enforcement, University officials and others associated with the University who have significant responsibility for student and campus activities.
   g. Create and publish an Annual Security and Fire Safety Report disclosing statistics of Clery Crimes reported over the previous three years, as well as University policies and procedures addressing campus security and safety. This Report will be available on the University’s Department of Public Safety website. A “Notice of Availability” of the Report will be disseminated to the University community via email notification of its publication each year. The University will also provide crime and fire statistics for the previous three years to the U.S. Department of Education on an annual basis.
   h. Identify Campus Security Authorities (CSA) on a regular, ongoing basis, and notify these individuals of their obligations under the Clery Act to report any and all Clery Crimes that are reported to them, or that they personally witness. Any Clery Crimes in progress should be immediately reported to 911 or Public Safety 856-256-4911 (Emergency); and if a crime is no longer in progress, it should be immediately reported to Public Safety 856-256-4922 (Non-Emergency/Crime Prevention), and through the online CSA reporting process.
   i. Provide regular, mandatory training for all CSAs.
   j. Educate the campuses, members of the University community and individuals in the surrounding communities about the Clery Act and Clery Act obligations, and to promote general awareness of all crimes and safety-related issues at all University locations.
   k. Issue notification to an emergency contact and/or parent/legal guardian, and local law enforcement agency, when a student who lives in on-campus housing has been missing for 24 hours, as well as generate a missing person’s report; and issue notification to an emergency contact and/or parent/legal guardian when advised by local law enforcement that a student who lives off campus has been missing for 24 hours. (See Missing Student Policy).
3. Responsibilities:

a. University Faculty, Staff, and Students utilizing and/or present in or on University facilities and/or property will**:**
    i. Promptly report any and all activity that is perceived as criminal, potentially dangerous or suspicious to the Department of Public Safety or a CSA.
    ii. Notify the Department of Public Safety of any situation or incident on campus that involves a perceived emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of students and/or employees on campus, as well as any ongoing threat to University property.
    iii. Report suspected wrongful conduct against those who decide to file reports to the University or an appropriate authority in order to protect those individuals from retaliation; participate in and cooperate with any and all investigations, hearings or inquiries conducted by the University or an appropriate authority; participate in any and all court proceedings regarding allegations of suspected wrongful conduct at the University. All reports must be filed and made in good faith. No person filing a report in good faith shall be retaliated against and all reports will be taken seriously.
b. University Faculty or Staff responsible for **Off-Campus** Student Trips will:
    i. Promptly fill out the Clery Travel Form for each University-sponsored trip (both domestic and international). https://docs.google.com/forms/d/e/1FAIpQLScY-JMsJ4xK4dYQMKM-j6aR928RSi0zAGGRpnhA4VLtbLGw6Q/viewform
c. The Department of Public Safety Clery Compliance Officer will:
    i. Compile and disclose all statistics relating to reported Clery Crimes that occur on the University's campuses, on public property within or immediately adjacent to the campuses, and in or on non-campus buildings or property that the University owns or controls.
    ii. Collect and maintain all reports of Clery Crimes made to the Department of Public Safety, local law enforcement, University officials and other individuals or offices associated with the University (CSAs) that have significant responsibility for student and campus activities.
    iii. Create and publish an annual report containing and disclosing all statistics related to Clery Act Crimes reported over the previous three (3) years, as well as all University policies and procedures addressing campus security and safety.
    iv. Annually disclose and report crime data (by type); fire incident data; security policies and procedures in place to protect the community; and information on the handling of threats, emergencies and dangerous situations, to members of both the University community and the general public through the Annual Security and Fire Safety Report.
    v. Maintain a daily crime log of all crimes reported that occurred on the Clery reporting geography.
    vi. Maintain a daily fire log of all reported fires that occurred in University on-campus student housing facilities.
    vii. Develop mechanisms used to provide mandatory training for all CSAs; and all work performed in conjunction with University departments to establish Clery Act related educational programs and promotion of Clery Act awareness programs.
    viii. Chair the University’s Clery Act Committee.
d. University Department of Public Safety shall:
    i. Issue "Rowan Timely Warning" notifications to the University community, usually by email, about Clery Crimes that occurred on the University's campuses, on public property within or immediately adjacent to the campuses, and in or on non-campus buildings or property that the University owns or controls.
    ii. Issue "Rowan Alert” (Emergency Notifications) to the University community for immediate threats to health and safety that are occurring in the University campuses and “Rowan Advisory” Non-emergency notifications) when deemed necessary and appropriate.
    iii. Compile and provide to the Associate Director of Clery Compliance, statistics of reports on the types of Clery Crimes reported that occur on the University's campuses, on public property within or immediately adjacent to the campuses, and in or on non-campus buildings or property that the University owns or controls.
    iv. Collect and provide to the Associate Director of Clery Compliance, reports of Clery Crimes at that location.
e. Campus Security Authorities (CSAs) will:

i. Report alleged crimes that they witness or are reported to them in good faith. CSAs are responsible for reporting allegations of Clery Act crimes that are reported to them in their capacity as a CSA. A crime is considered to have been reported when it is brought to the attention of a CSA or local law enforcement by a victim, witness, other third party or even the offender. It does not matter if the individual(s) who are involved in the crime or are reporting the crime are associated with the University. CSAs are not responsible for 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.
ii. Record information about the crime(s) reported to them. In order to record the necessary information, CSAs must complete either a CSA Reporting Form or another designated reporting form based on the nature of the incident (ie. Sexual assault/Sexual misconduct, Harassment). Certain CSAs such as Residential Learning and University Housing staff and Public Safety officers, may submit these reports via designated incident reports.
iii. Submit electronically the completed CSA Reporting Form to the Department of Public Safety and/or the Associate Director of Clery Compliance/Clery Act Compliance Officer.

f. University Office of Community Standards/Student Life will:
   i. Work with students to promote adherence to the Student Code of Conduct to minimize behavior that is not consistent with the University's essential values.
   ii. Report any Clery related crimes to the University's Department of Public Safety. For anyone who is unsure of whether or not an incident must be reported, it is recommended that you contact the Department of Public Safety.
   iii. Annually provide all conduct referral data to the University Department of Public Safety and Associate Director of Clery Compliance/Clery Act Compliance Officer.
g. University visitors utilizing and/or present in or on University facilities and/or property will:
   i. promptly report any and all activity that is perceived as criminal, potentially dangerous or suspicious to the Department of Public Safety.

VI. RECORDS RETENTION

1. All required compliance documents are retained by Rowan University for seven (7) calendar years. Unless otherwise instructed by the Rowan Office of General Counsel, all materials (paper and electronic) are destroyed in the beginning of the eighth (8th) calendar year.

VII. RESOURCES

1. For further information on the Clery Act, visit Rowan University's Department of Public Safety's website.
2. Questions may be directed to the Associate Director of Clery Compliance /Compliance Officer, Department of Public Safety, at (856) 256-4562 or cleryact@rowan.edu.
3. Missing Student Policy
4. Sign up for Rowan Mass Notification System : visit edu/emergency and provide your contact information through http://www.getrave.com/login/rowan.
5. Annual Security and Fire Safety Report: https://sites.rowan.edu/publicsafety/clery/asr/index.html
6. CSA Information: Training, CSA Reporting Form: https://sites.rowan.edu/publicsafety/clery/csa/index. html
7. Office of Community Standards: https://sites.rowan.edu/communitystandards/
8. Title IX: https://sites.rowan.edu/equity/titleix/index.html
9. Wellness Center: https://sites.rowan.edu/wellness/index.html
10. The Department of Public Safety Orders that are used for Clery Act compliance:
    a. Clery Act 11-0415
    b. Immediate or Emergency Notifications 12-0925
    c. RowanTimely Warnings to the Community 12-0206