

Clery Compliance: We need to do what?!

TAIE/GAIE

February 21, 2014

Presenters

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Agenda

- History
- Clery Act
- Who Must Comply?
- The Handbook
- How are we affected?
- The Process at UT Knoxville
- Campus Security Authority

Agenda continued

- Housing
- Length
- Examples
- Timely Warnings
- Annual Security Report
- Committee (Who's involved on campus now)
- Resources/Questions

The Clery Act (History)

- Jeanne Clery was raped and murdered by another student at Lehigh University in 1986.
- Her parents fought for more security and crime information to be publically available.
- 1990, the Crime Awareness and Campus Security Act was passed and later renamed the Clery Act.

Clery Act

- Federal Statute
 - Disclose Policy information relating to campus security and crime statistics
 - Issue timely warnings
 - Keep daily crime log
 - Have policies and procedures relating to emergencies, fire safety, and missing students

Clery Act

- Specific Crimes
- Specific Locations
 - On campus
 - On campus residential
 - Public Property (adjacent and accessible)
 - Non-Campus
- Frequented by Students

Who must comply?

- Public and private postsecondary institutions that participate in Title IV
 - The Handbook for Campus Safety and Security Reporting

The Handbook (Department of Education)

- Original Handbook in 2006 contained little on international locations
- Update in 2011, The Handbook for Campus Safety and Security Reporting significantly changed what was expected of us.
- Update 2013, Clery Act Amendments in the Violence Against Women Act
 - NACUANOTES – 2011, 2012 and 2013

How are we affected?

- LOCATION, LOCATION, LOCATION
 - On-campus, owned or controlled (non-campus)
 - Controlled: university has some sort of *written* agreement (even informal)
 - Accommodations and classroom space
 - Letter or email
 - Payment does not matter
 - Frequented by students
 - Length of time in Location
 - Handbook; Chapter 2

The Process

- Center for International Education
- Police Department
- General Counsel

Campus Security Authority (CSA)

- Someone who has significant responsibility for student and campus activities
 - At UT Knoxville: all faculty-leaders
 - Must provide training
 - Must report all crimes that learned of in good faith
 - Confirm that they had no crimes reported to them after program – don't assume
 - Handbook, p.75-76

Housing

- Program by program
 - Hotels
 - Dormitories
 - Host family “situations do not normally qualify as noncampus locations *unless* your written agreement with the family gives your school some significant control over the space in the family home.”
 - Handbook, p. 31

Length – trips within the study abroad program

- “Trips of longer duration”
- Used on regular basis
 - returning to same location semester after semester or year after year (as geographically defined earlier)

Scenario

- A student is on a faculty led program in country X. He is returning to his hostel room at 3am. He is mugged and his money and passport stolen. He is 1 block from the hostel. Is it reportable?
- No – location
- Student mugged and items taken in the hostel lobby?
- Yes - location
- Non-participant has items stolen in lobby?
- Yes – WHERE not WHO

Timely Warnings

- Outline:
 - Circumstances when a warning will be issued
 - Individual or office to issue the warning
 - How the warning will be disseminated.

Annual Security Report

- Due to be available October 1 each year
- Letters to Police with Jurisdiction
 - List the specific properties (and timeframes)
 - State that required by the Clery Act for the US Department of Education
 - List crimes
 - Keep copy of letter and any responses
- Confirmation from CSAs
 - Handbook, p 82-87

Clery Compliance Committee

- Now an official university wide committee concerned with all Clery compliance issues and training for Campus Security Authorities
- Members:
 - Finance and Administration, Police Department, Human Resources, Athletics, General Counsel, Center for International Education, Enrollment Services, Student Affairs, Ag Extension, Media Relations

Next steps...

- Find out who is in charge of Clery Compliance on your campus
- If you have in house General Counsel, get their input.
- Get more training

Resources – You Are NOT Alone!

- FORUM on Education Abroad
 - Natalie Mello, FORUM and Joseph Storch, SUNY
- Clery Act Handbook
 - www2.ed.gov/admins/lead/safety/handbook.pdf
- NACUA Notes – updates/changes
- utpolice.utk.edu