

HEOA / CLERY Act / VAWA Policy

Policy Title:	HEOA / CLERY Act / VAWA Policy
Issued By:	Campus of Safety and Security Services
Responsible Office:	Finance Office
Responsible Officer:	Senior Vice President & Chief Financial Officer
Effective:	September 19, 2017
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Next Review:	September 19, 2018

Policy Statement

This policy has been prepared as part of Urbana University's commitment to Campus Safety and security on campus and to satisfy the obligations of the Higher Education Opportunity Act (HEOA) of 2008; including the Jeanne CLERY Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998 (Clery Act)," and the Violence Against Women Reauthorization Act (VAWA) of 2013.

Purpose

The purpose of this policy is to outline the University's Campus Safety and security duties and responsibilities as articulated in the Higher Education Opportunity Act (HEOA) of 2008, the Clery Act, and the Violence Against Women Reauthorization Act (VAWA), as amended.

Scope

This policy applies to all Urbana University faculty, staff, students and visitors at all University campuses.

Definitions

Crime statistics - An institution must report statistics for the three most recent calendar years concerning the occurrence on campus, in or on non-campus buildings or property, and on public property of the following that are reported to local police agencies or to a campus security authority, including:

Murder / non-negligent manslaughter	Negligent Manslaughter
Forcible Sex Offenses	Non-Forcible Sex Offenses
Robbery	Aggravated Assault
Burglary Arson	Motor Vehicle Theft
Hate Crimes	Liquor Violations/Arrests
Drug Abuse Violations/Arrests	Weapon Law Violations/Arrests

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Policy Details

General Regulatory Guidelines

The Higher Education Opportunity Act, the Clery Act, and the Violence Against Women Reauthorization Act requires colleges and universities to prepare, publish, and distribute to all students and employees an annual report pertaining to the college's security policies, procedures and programs. The regulations require the reporting of domestic violence, dating violence, and stalking incidents, beyond the crime categories the Clery Act already mandates; the adoption of certain student discipline procedures, such as for notifying purported victims of their rights; and to adopt policies to address and prevent campus sexual violence, such as to train in particular respects pertinent institutional personnel and the student body.

Timely Warning Policy

In the event of a serious incident that poses an immediate threat to members of the Urbana community, the University has various systems in place for communicating emergency information quickly. Some or all of these methods of communication may be activated upon the confirmation from the Campus Special Duty Officer or Department of Campus Safety & Security Services (CSSS) personnel of a significant emergency or dangerous situation involving an immediate threat to the health or Campus Safety of visitors, students or staff occurring on campus.

These methods of communication include Urbana University Alerts (text messaging and e-mail), One Call Now (IP telephone broadcasts), face to face communication, Urbana's portable radio system and blast e-mailing.

Timely Warning Procedure

Urbana University will, without delay, and taking into account the Campus Safety of the community, determine the content of the notification message and initiate the Urbana Alerts system; unless issuing a notification will, in the professional judgment of University officials, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

However, the release is subject to the confirmation of an emergency or dangerous incident. Alerts are distributed to faculty, students and staff through email, text messaging and/or through the One Call Now telephone messaging system.

The University community as a whole will receive emergency notifications through the Urbana University website, mass email distribution, social media channels, and other communications channels that are appropriate for the specific incident.

The Department of Campus Safety and Security Services may initiate an emergency mass notification, in accordance with the procedures outlined in the University's Crisis Management Plan, whenever a report is received of a violent incident against a person or a particularly threatening incident against

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property on campus that represents an ongoing danger to the Campus Safety of students, faculty and staff.

Alerts are sequentially numbered, beginning January 1 of each year, and provide details of the crime, a description of the suspect, if known, information on whom to contact about the investigation, and often crime prevention tips.

An emergency mass notification message will be widely distributed throughout campus, delivered to the University's Public Relations department, posted on the Public Campus Safety web site, posted to social media, and e-mailed as quickly as possible to select university offices.

Whenever the Urbana Police Department issues a news release about an off-campus crime that represents an ongoing threat to the Campus Safety of students, faculty, and staff, the university will assist in publicizing this information on campus.

Policies for Reporting Crimes

Urbana University always seeks information that may lead to the arrest and conviction of an offender when violent crimes against persons or serious crimes against property have been reported. Information regarding any crime may be reported to Urbana University's Campus Safety and Security Services (CSSS) or anonymously by using the Tip Hot Line at tips@urbana.edu, or creating an anonymous report at urbana.edu/notify.

Any person involved in or witnessing a life threatening emergency should dial "911" first before attempting to notify Urbana University Campus Safety and Security personnel. All persons are strongly encouraged to report crime to their respective Campus Special Duty Officer or the appropriate local law enforcement agency. Campus Safety & Security Services can be notified at (937) 772-9213 by any person desiring to report a crime or suspicious activity occurring on property owned or utilized by Urbana University.

Campus Special Duty Officers have complete police authority to apprehend and arrest anyone involved in illegal acts on-campus and areas immediately adjacent to campus locations. If minor offenses involving University rules and regulations are committed by an Urbana University student, the incident may be investigated through the Director of Students Services for potential Student Code of Conduct violations. While working on behalf of Urbana University, Campus Special Duty Officers are under the guidance of the University's Department of Campus Safety and Security Services. As such, they are school officials with a legitimate educational interest.

State laws in Ohio require persons who have knowledge of a felony (a victim of or witness to the crime) to report the crime to the police. Failure to report a crime may itself be a crime.

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The University strongly encourages crime victims to report all criminal activity to the local law enforcement agency having jurisdiction to investigate the crime.

Confidential Reporting

Ohio's public records law does not permit the university to assure confidentiality to those who report crimes; except in cases involving counselors or, under certain circumstances, to a physician or nurse. Some off-campus reports also may be legally confidential - e.g. reports to clergy or health care professionals.

Those who are a victim of a crime and do not want to pursue action within the University's Community Standards system or the criminal justice system, may consider making a confidential report. The Tip Hot Line anonymous reporting system (tips@urbana.edu and/or urbana.edu/notify) allows students, faculty and staff the opportunity to file a report on the details of an incident without revealing the reporter's identity.

The purpose of a confidential report is to allow victims of a crime to keep the matter confidential, while taking steps to ensure the future Campus Safety of themselves and others.

With such information, the University can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution.

Preparing Annual Reports

Urbana University's Annual Report is the result of the efforts of many people on campus. Each year the offices and individuals listed above provide information for inclusion in the annual report. No formal police report is required for a crime to be included in the annual report. Every effort is taken to ensure that all persons required to report do so, and that statistics are as accurate and complete as possible. Information included in the annual report is reviewed for accuracy, completeness and readability.

Any questions or concerns regarding any of the statistics and information in this report, please contact the Manager of Campus Safety and Security Services at 937-505-7361.

Policy For Reporting The Annual Disclosure of Crime Statistics

The University's Department of Campus Safety and Security Services prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act and the Violence Against Women Reauthorization Act. The full text of this report can be located on the University's web site: http://www.Urbana.edu/student-services/Campus_Safety-

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[and-security-services/heoa-clery-vawa-acts/](#). This report is prepared in cooperation with the local law enforcement agencies.

Campus crime, arrest and referral statistics include those reported to the Department of Campus Safety and Security Services, designated campus officials (including but not limited to vice presidents, directors, department heads, counselors, advisors to students, student organizations, and local law enforcement agencies). Mental health care providers

Inform student - clients of the procedures to report crime to the University's Department of Campus Safety and Security Services, or local law enforcement on a voluntary or confidential basis, should they feel it is in the best interest of the client.

Each year all enrolled students receive notification that provides the website address to access this report. Faculty and staff receive similar notification in their new employee orientation sessions. Copies of the report may also be obtained by calling 937-505-7361. All prospective employees may obtain a copy from the Department of Campus Safety and Security Services.

Policy Addressing the Authority of Non-Sworn Public Safety Officers on Campus

The University's Department of Campus Safety and Security Services oversees all safety and security functions and programs at Urbana University locations. The University's Department of Campus Safety and Security Services employs non-sworn safety and security personnel responsible for many administrative and operational functions to include access control, policy and procedure development, training, and various record keeping activities. As such, Campus Safety and Security personnel are considered school officials with a legitimate educational interest.

Urbana University non-sworn safety and security personnel have the authority to request identification from individuals on campus to determine whether individuals have lawful business at the University. Safety and Security personnel do not possess arrest powers outside of those granted to ordinary citizens.

General Procedures for Reporting a Crime or Emergency

Any person involved in or witnessing a life threatening emergency should dial "911" first before attempting to notify Urbana University Campus Safety and Security personnel. All persons are strongly encouraged to report crime to their respective Campus

Special Duty Officer or the appropriate local law enforcement agency. Campus Safety & Security Services can be notified at (937) 772-9213 by any person desiring to report a crime or suspicious activity occurring on property owned or utilized by Urbana University.

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Criminal incidents are referred to the Campus Special Duty Officer or local law enforcement agency that have jurisdiction on the campus. The Department of Campus Safety and Security Services at Urbana University maintains a professional working relationship with all law enforcement organizations having jurisdiction at any campus location. All crime victims and witnesses are strongly encouraged to immediately report any crime to the Department of Campus Safety & Security Services. Prompt reporting will assure timely warning notices on campus and timely disclosure of crime statistics.

CSSS personnel are available to answer your call. In response to a call, the Campus Special Duty Officer will take the required action to include summoning appropriate personnel or notifying the appropriate law enforcement agency. The Campus Special Duty Officer and/or CSSS will investigate a report when it is deemed appropriate. Additional information obtained via the investigation will also be forwarded to appropriate University or law enforcement resources.

All CSSS incident reports involving faculty, staff or student misconduct are forwarded to the appropriate University administrators for review and potential disciplinary action. The CSSS will investigate a report when it is deemed appropriate. Any additional information obtained via the investigation will be forwarded to the appropriate University administrator. If assistance is required from local law enforcement agencies, the CSSS will contact them directly.

To assist in maintaining a safe learning and work environment, Urbana University has established the Urbana Threat Assessment & Behavioral Intervention Team (**TABIT**). The mission of the team is to promote the health and Campus Safety of students, faculty and staff by providing caring intervention. This includes providing University faculty and staff with training and education regarding inappropriate behavior, including how and when to report suspicious or inappropriate behavior. Additionally, individuals may contact external community services agencies for assistance by contacting local agencies such as the United Way.

Criminal conduct should be reported to the CSSS to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate.

Sexual Violence Awareness and Prevention Programs

In adherence to VAWA guidelines, new students and new employees are required to complete a “primary prevention and awareness program” that promote awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking.

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Urbana University's sexual violence awareness and prevention training program includes:

- A. A statement that Urbana University prohibits sexual misconduct and harassment offenses.
- B. The definition of sexual misconduct and harassment offenses in the applicable jurisdiction.
- C. The definition of consent, with reference to sexual offenses, in the applicable jurisdiction.
- D. "Safe and positive" options for bystander intervention an individual may take to "prevent harm or intervene" in risky situations.
- E. Recognition of signs of abusive behavior and how to avoid potential attacks.
- F. Ongoing prevention and awareness campaigns for students and faculty on all of the above.

Additionally, students, faculty and staff are reminded by signs posted throughout campus that Campus Safety and security is everyone's responsibility and non/emergency numbers are also noted: Department of Campus Safety and Security Services (937) 772-9213.

Sexual Assault Prevention and Response

Victims of a sexual assault at Urbana University should attempt to get to a place of Campus Safety, as soon as possible. It is also advisable that sexual assault victim's obtain necessary medical treatment as quickly as possible via The Title IX deputy Coordinator at (937) 772-9584, Wellspring at (973) 653-5990, and/or Consolidated Care at (800) 224-0422. The University strongly advocates that a victim of sexual assault report the incident in a timely manner. Time is a critical factor for evidence collection and preservation. An assault should be reported directly to the Campus Special Duty Officer, the Department of Campus Safety and Security Services, or the local law enforcement agency having jurisdiction to investigate the incident.

Filing a police report will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers. Filing a police report will ensure that a victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim, and provide the opportunity for collection of evidence helpful in prosecution, which may be difficult to obtain later. Ideally, a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam. Filing a timely report also assures that the victim has access to free confidential

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counseling from counselors specifically trained in the area of sexual assault crisis intervention.

References

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (amended in 2000)

The Higher Education Opportunity Act (2008)

The Violence Against Women Act (1994)

The Violence Against Women Reauthorization Act (2013)

Ohio Revised Code 149.43 (public records)

Urbana University Mass Notification Policy

Urbana University reporting Criminal of Suspicious Activities Policy

Associated Policies

None.

Contacts

For more information:

- Urbana Campus Security Manager: (937) 505-7361
 - Urbana Campus Security Office: (937) 772-9213
 - Executive Director of Campus Safety and Security: (614) 947-6901
 - Director of Public Relations: (614) 947-6581
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Review Timeline

This policy will be reviewed annually or more frequently as changes are enacted to federal and state regulations.

Revision History

Created: September 19, 2017
