

IACLEA Standard 16.2.2

## Policy

Minnesota State University Mankato is committed to the safety and well-being of all members of the University community. Minnesota State University Mankato will comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics originally known as the Campus Security Act, and the Violence Against Women Act (VAWA) Amendments to the Clery Act.

The University is required to publish a yearly report that contains crime statistics from the three years prior to the report and certain security-policy statements, including sexual-assault policies that ensure basic victims' rights, assert the authority of University Security and describe where/how students should go to report crimes. It is the responsibility of University Security to collect crime reports and distribute the annual crime statistics and report by October 1<sup>st</sup> of each calendar year. CSA's and other departments will be reminded to report any crimes that they are aware of for inclusion in the annual report one final time prior to completion of the annual report.

The Minnesota State University Mankato's Annual Security and Fire Safety Report is available online to all current students, faculty and staff; and to all prospective students and employees. The report shall be made available in paper form upon request to University Security.

Minnesota State University Mankato acknowledges the importance of campus safety and investigating crime. By means of this statement, the University adheres to all formal plans that provide for the reporting, notification and investigation of missing students and listed offenses committed on campus and on campus controlled areas.

## Definitions

**Annual Security Report** — Clery requires the University to annually publish a report containing statistics for Clery crimes by type, location and year; statistics of fires in on-campus student housing; campus safety and security related policy statements that address crime reporting and prevention; law enforcement data bases of registered sex offenders; drug, alcohol and sex offenses; procedures for issuing timely warning to the campus of potentially dangerous criminal and emergency situations; campus evacuation procedures; and policy statements, procedures, and programs to prevent dating violence, domestic violence, sexual assault and stalking.

**Arrest** — Persons processed by arrest, citation or summons. The University shall compile statistics for and specifically disclose arrests related to weapons, and drug and alcohol abuse. If an individual is both arrested and referred for disciplinary action for an offense, only the arrest will be disclosed.

**Commented [KAD1]:** Just a suggestion of re-wording this sentence to put more ownership on the University as a whole.

"It is the responsibility of the University to report crimes to the Security Department. The Security Department will then collect the reports, compile the statistics and include them in the annual crime statistics report which is due by October 1<sup>st</sup> of each calendar year."

**Commented [KAD2]:** Online

**Campus Security Authority (“CSA”)** — 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. These individuals, by virtue of their position due to official job duties, ad hoc responsibilities, or volunteer engagements, are required by federal law to "report" crime when it has been observed by, or reported to them by another individual. These individuals typically fall under one of the following categories:

- A member of University Security.
- Individuals having responsibility for campus security in some capacity, but are not members of a campus police/security department (e.g., an individual who is responsible for monitoring an entrance such as the Rec Center or Library main desks).
- People or offices that are not members of University Security, but where policy directs individuals to report criminal offenses to University Security.
- Officials having significant responsibility for student and campus activities.

The following individuals, when acting within the scope of the official responsibilities are not Campus Security Authorities, and as such, are exempt from the mandates of this policy:

- Pastoral Counselors
- Professional Counselors
- Persons uncertified, but acting under the supervision of an exempt counselor

The following is a non-exhaustive list of University offices and individuals with an obligation to assist with the University’s Clery compliance and are designated as CSAs:

- University Security;
- Director of Equal Opportunity and Title IX;
- Title IX Coordinators;
- Student Affairs staff;
- Human Resources;
- Director of Student Conduct;
- Dean of Students,
- Student Activities;
- Residential Life (full-time and student staff);
- Director of Student Health Services;
- Director of the Counseling Center;
- Admission Offices;
- Provost;
- Deans;
- Director of Athletics and coaching staff;
- Student organization faculty affiliates and advisors;
- Administrators at Branch/Satellite/Separate Campuses,

- International Programs and Services staff;
- Faculty leaders of University sponsored off-campus study programs;
- Contract Security Officers and Event Security Officers.
- Camp Counselors and Administrators

The Director of Security, or designee, informs individuals who are CSAs and conducts annual training.

**CSA Identification** — Because personnel and job positions change, someone who is a CSA one year may not be a CSA the following year. To determine which individuals are CSAs, the function served by that individual must be considered. If someone has significant responsibility for student and campus activities, they are a CSA.

CSAs typically only need to provide basic information to meet the requirements of Clery. Title IX rules and regulations are different and those who are not CSAs under Clery generally are required to provide additional information for a Title IX investigation.

**Clery Act Crime Statistics** — The University must compile statistics of reports made to University Security, CSAs and local law enforcement of the following types of crimes:

- Criminal offenses — Criminal homicide, including murder and non-negligent manslaughter, and manslaughter by negligence; sexual assault, including rape, fondling, incest and statutory rape; robbery, aggravated assault, burglary, motor vehicle theft; and arson.
- Hate Crimes — Any of the above-mentioned offenses, and any incidents of larceny-theft, simple assault, intimidation, or destruction/damage/vandalism of property that were motivated by bias.
- VAWA Offenses — Any incidents of sexual assault, domestic violence, dating violence and stalking; and
- Arrests and Referrals — For weapons (carrying, possessing, etc.) law violations, drug abuse violations and liquor law violations.

**Daily Crime and Fire Log** — University Security maintains for public inspection a Daily Crime and Fire Log of any and all alleged criminal incidents and fires (fires only - occurring in on-campus student housing) that are reported to University Security. Incidents are recorded in the Daily Crime and Fire Log with the date and time the alleged crime or fire is reported, the date and time the alleged crime or fire occurred, the nature of the alleged crime or fire, and general location description, if available.

**Emergency Notification, aka: Star Alert** — An announcement to inform the campus community about a “significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on or near the campus.” “Immediate threat” is defined as an imminent or impending threat which could include a significant fire,

outbreak of a serious illness, extreme weather conditions, gas leak, armed suspect, terrorist incident, bomb threat, civil unrest, explosion, chemical spill, or other dangerous situation.

**Missing Student Notification** – The university has defined for how to respond if a student is reported missing for over 24 hours (*Missing Residential Student* policy). Anyone believing that a student is missing can contact University Security at (507)389-2111. If the student lives off campus, contact the police who have jurisdiction for the student’s home or apartment.

**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, when acting with the scope of the official responsibilities are not Campus Security Authorities.

**Professional Counselors** – Individuals whose official responsibilities include providing mental health counseling to members of the institutions’ community and who is functioning within the scope of his or her license or certification. Professional Counselors, when acting within the scope of the official responsibilities are not Campus Security Authorities.

**Referral for Disciplinary Action** — The University shall compile statistics for and specifically disclose students’ referrals for disciplinary action related to weapons’ and drug and alcohol abuse. If an individual is both arrested and referred for disciplinary action for an offense, only the arrest will be disclosed.

**Timely Warning, aka: Personal Safety Alert** — The University must timely alert the campus community to certain crimes in a manner that is timely and will aid in the prevention of similar crimes. A warning will be issued as soon as pertinent information is available, to enable individuals to take precautions to protect themselves. The decision to issue a timely warning must be decided on a case-by-case basis taking in to consideration these factors:

- The nature of the crime.
- The continuing danger to the campus community.
- The possible risk of compromising law enforcement efforts.
- The health, safety, and welfare of the campus community.

## Procedures

In accordance with the requirements of the Clery Act, the University shall:

1. Via issuance of Time Warnings, alert the campus community of Clery Crimes that pose a serious or continuing threat to the campus and surrounding community. Timely warnings will be disseminated according to the University’s *Emergency Notifications Policy*. Timely warnings are disseminated 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.

2. Via issuance of Star Alerts to alert and inform the campus community about a “significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on or adjacent to the campus”. Star Alerts will be disseminated according to the University’s *Emergency Notifications Policy*.
3. Maintain a daily crime log of all crimes reported. This log will be available for public inspection, upon request or via the University Security website.
4. Maintain a daily fire log of all fire-related incidents reported. This log will be combined with the daily crime log and available for public inspect, upon request or via the University Security website.
5. Compile and disclose statistics of reports on the types of Clery Crimes reported for the University campus, the immediately adjacent public areas and remote classroom properties and certain non-campus property.
6. Collect reports of Clery crimes made to University Security, local law enforcement, University officials and others associated with the University who have significant responsibility for student and campus activities.
7. Create and publish the annual report to the U.S. Department of Education disclosing statistics of Clery Crimes reported over the past three years, as well as required university policies and procedures addressing campus security and safety.
8. Annually disclose/provide access to the campus community and the public, the Annual Security and Fire Safety Report which provides:
  - a. Crime data (by type);
  - b. Fire incident data;
  - c. Security policies and procedures in place to protect the community; and
  - d. Information on the handling of threats, emergencies and dangerous situations.
9. Identify Campus Security Authorities (CSAs) on a regular, ongoing basis, and notify these individuals of their obligations under the Clery Act to report any and all Clery Crimes that they witness, or are reported to them.
10. Provide regular, mandatory training for all CSAs.
11. University Security will work with the appropriate departments to create, establish and conduct programs to educate the campus and surrounding community about the Clery Act and Clery Act obligations, and to promote general awareness of all crime and safety-related issues at all University locations and University controlled locations.
12. In the event that a person is reported as missing, contact the appropriate University offices including University Security, notify local law enforcement that has jurisdiction in the geographical area around the specific campus location, and utilize the emergency contact information available for the missing person to notify those listed as emergency contacts for the alleged missing person.

## Responsibilities

All University Faculty, Staff and Students on University Facilities or Property:

- Promptly report any activity that is perceived as criminal, potentially dangerous or suspicious to University Security or to a Campus Security Authority (CSA).

All University Visitors on University Facilities or Property:

- Promptly report any activity that is perceived as criminal, potentially dangerous or suspicious to University Security or to a Campus Security Authority (CSA).

University Security:

- Compile and disclose statistics of reports on the types of Clery Crimes reported on University lands, and the adjacent public areas.
- Collect reports of Clery Crimes reported to University Security, local law enforcements, University officials and others associated with the University who have significant responsibility for student and campus activities.
- Create and publish an annual report to the Department of Education disclosing statistics of Clery Crimes reported over the past three years, as well as University policies and procedures addressing campus security and safety.
- Annually disclose/report, to the campus community and the public:
  - 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.
- Provide regular, mandatory training for all CSAs.
- Work with University departments to establish Clery Act-related educational programs and promotion of safety awareness programs.
- Issue Personal Safety Alerts (Timely Warnings) to the campus and surround community about Clery Crimes.
- Issue Star Alerts (emergency notifications) to the campus and surrounding community when deemed necessary and appropriate.
- Maintain a daily fire log of all fire-related incidents reported.
- Compile reports of Clery Crimes.
- Compile statistics of reports on the types of Clery Crimes reported on University lands, and the immediately adjacent public areas.
- Work with the Dean of Students, Equal Opportunity and Title IX, the Violence Awareness Response Program, and Residential Life to establish Clery Act-related educational programs and promotion of safety awareness programs.

Campus Security Authorities (CSAs):

- Hear/receive information of alleged crimes that are reported to them in good faith by others, or report crimes that they may personally witness. Under the Clery Act, a crime is “reported” when it is brought to the attention of a campus security authority or local law enforcement personnel by a victim, witness, other third party or even the offender. It doesn’t matter whether or not the individuals involved in the crime, or reporting the crime, are associated with the University.
- Record information about crimes reported to them. To record information about a reported crime, the Campus Security Authority is encouraged to complete a [Campus Security Authority Reporting Form](#). Other options for reporting include filing a report with University Security, the Dean of Students, or Equal Opportunity and Title IX.

#### Dean of Students:

- Work with students to promote adherence to the [Statement of Student Responsibilities](#) to minimize behavior that is inconsistent with the essential values of the University community.
- Promptly report any Clery Act crimes to University Security. If you are unsure whether or not the incident meets the criteria, it is still recommended that you contact University Security.
- Annually work with University Security to ensure all data is appropriately and accurately reported in the Annual Security Report.

#### Equal Opportunity and Title IX:

- Promptly report any Clery Act crimes to University Security. If you are unsure whether or not the incident meets the criteria, it is still recommended that you contact University Security.
- Annually work with University Security to ensure all data is appropriately and accurately reported in the Annual Security Report.

### Reporting Related to Student Travel

All faculty and staff who make arrangements for student travel that is either funded or sponsored by the university must report the location(s) where university students have stayed for more than one night or where there is repeated use of the same location funded or sponsored by the university. The Non-Campus Events Form should be filled [out](#).

CSA Training — CSAs receive Clery training annually coordinated by University Security. Supervisors are responsible to ensure that their direct reports complete the annual training.

### Annual Security Report (ASR)

Gathering and Compiling Statistics of Clery Crimes

- University Security will collect and compile statistics regarding Clery Crimes.
- University Security will coordinate with the Directors of each University campus location and local law enforcement agencies to collect statistics.

#### ASR Distribution

- The ASR will be published and distributed by October 1st of each year.
- The ASR will be distributed to all currently enrolled students and all employees in two ways:
  - Directly by publications and mailings via the US Postal Service; campus mail, email, or a combination of these methods; or
  - Posting the ASR on an Internet or Intranet website that is reasonably accessible to enrolled students and to current employees.

The ASR must also be provided to prospective students and prospective employees upon request. If the ASR is provided to prospective students and prospective employees by posting the report on an Internet site, the notice provided to each individual must include: the exact URL where the report is posted; a brief description of the report; and a statement that the institution will provide a paper copy of the report upon request.

The supporting records used in compiling the ASR shall be retained for seven years. Records to be kept include, but are not limited to:

- copies of crime reports;
- the daily crime logs;
- records for arrests and referrals for disciplinary action;
- timely warning and emergency notification reports;
- documentation, such as letters to and from local police having to do with Clery compliance;
- letters to and from Campus Security Authorities;
- correspondence with the U.S. Department of Education regarding Clery Act compliance;
- copies of notices to students and employees about the availability of the annual security report.

All documentation should be dated.

#### Rationale

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act is the federal law, originally known as the Campus Security Act, that requires colleges and universities across the United States to record and report Clery Act crimes, to disclose crime and fire



statistics, to provide campus safety and security policy statements, and to notify the campus community regarding Clery Act crimes and serious incidents.

