



**NUMBER**                                    **COMPLIANCE WITH THE JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY & CAMPUS CRIME STATISTICS ACT**

**Responsible Executive:**             Finance and Administration  
**Approving Official:**                Vice President for Finance and Administration  
**Effective Date:**                    On expiration of notice and final approval by Responsible Official  
**Revision History:**                 New

**I. INTRODUCTION**

The *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998*, a part of the Higher Education Act of 1965 (HEA), was extended by the HEA of 2008 and the Violence Against Women Reauthorization Act of 2013 (VAWA), collectively known as the "Clery Act," and requires institutions of higher education receiving federal funding to gather and publish certain crime statistics on or near their campuses and publish policy statements concerning campus safety and security.

The purpose of this policy is to ensure the University's compliance with the "*Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*," formerly the *Crime Awareness and Campus Security Act of 1990*, (commonly referred to as the "*Clery Act*") at all University locations in compliance with *20 U.S.C. §1092 (f)*.

**II. POLICY**

It is the policy of the Florida State University (the University) to set forth guidelines and procedures intended to ensure the University's ongoing compliance and requirements of the Clery Act. Complying with the Clery Act, a federal mandate, as outlined in *20 U.S.C. §1092 (f)*, requires the University to publish and distribute an annual report containing crime statistics, security-related policy statements and procedures, fire safety requirements and local regulations. The University shall:

1. Issue timely warnings, alerting the University community of Clery Crimes that pose a serious or continuing threat to the campus and surrounding community. Timely warnings will be disseminated throughout the community 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. Issue emergency notifications alerting 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."
3. Maintain a daily crime log of all Clery crimes reported. This log will be available for public inspection, upon request, at the University's Police Departments for Tallahassee and Panama City Campuses and at designated locations for other campus branches or centers.



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4. Maintain a daily fire log of all fire-related incidents reported as occurring in on-campus student housing facilities. This log will be available for public inspection, upon request, at the University's Police Departments for the Tallahassee campus and at other designated locations for other campus locations with student housing.
5. Compile and disclose statistics of reports on the types of Clery Crimes reported as occurring on the University's campuses, the immediately adjacent public areas and public areas running through the campuses, remote classroom facilities and certain non-campus facilities.
6. Collect reports of Clery Crimes made to University Police and Public Safety, local law enforcement, University officials and others associated with the University who have significant responsibility for student and campus activities, primarily those identified as Campus Security Authorities (CSAs).
7. By October 1 of each year, publish and distribute an Annual Security and Fire Report for each campus to currently enrolled students and all employees. In addition, provide notice of the availability of the report to prospective students and employees. The Annual Security and Fire Report will disclose:
  - Crime data for previous three years;
  - Fire safety and incident data for previous three years;
  - Security policies and procedures in place to protect the community;
  - Information on the handling of threats, emergencies and dangerous situations;
  - Procedures for students and others to report crimes or other emergencies;
  - Crime prevention programs and services;
  - Policies regarding the possession, use and sale of alcoholic beverages and illegal drugs and enforcement of the laws;
  - Drug and alcohol abuse education programs;
  - Policies, procedures and programs for dating violence, domestic violence, sexual assault and stalking;
  - Missing student notification procedures;
  - Arrests and referrals for disciplinary actions for weapons, drugs and alcohol violations;
  - Sex offender registry information.
8. Annually, submit crime and fire statistics to the Department of Education and publish on the University's Police Department website and each campus branch's designated website.
9. Identify CSAs on an 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 to the University's Police Departments and to designees of other campus branches.
10. Provide mandatory training for all CSAs.
11. Work with the University Police, Emergency Management and other appropriate departments to create, establish and conduct programs at all University campus locations 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.
12. In the event that a student residing in on-campus housing is reported as missing, contact the appropriate University offices, 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.

13. For further information on the Clery Act, visit the FSU Police Department's website at <http://police.fsu.edu/> and the Clery Center at <http://clerycenter.org/>.

#### **RESPONSIBILITIES:**

##### **Clery Compliance Coordinators:**

- Compile statistics of any and all reports on the types of Clery Crimes committed on the University's owned or operated campuses, in the immediately adjacent public areas and public areas running through the campuses, remote classroom facilities and non-campus facilities.
- Collect reports of Clery Crimes made to University Police and Public Safety, local law enforcement, University officials and others associated with the University who have significant responsibility for student and campus activities.
- Create and publish crime and fire statistics to the Department of Education, disclosing all statistics related to Clery Act Crimes reported over the past three years, as well as all University policies and procedures addressing campus security and safety.
- Annually, disclose and report the following information to members of both the University and general public:
  - Crime data by type;
  - Fire incident date;
  - Security policies and procedures in place to protect the community;
  - Information on the handling of threats, emergencies and dangerous situations;
  - Completion of mandatory training for all CSAs; and
  - Clery Act related education programs and promotion of safety awareness programs.

##### **Public Safety: University Police Departments, Emergency Management and Designees of other campus branches:**

- Issue "timely warnings" alerts to the campus and surrounding community about Clery Crimes;
- Issue "emergency notifications" to the campus and surrounding community when deemed necessary and appropriate;
- Maintain a daily crime log of all reported crimes;
- Maintain a daily fire log of all reported fire-related incidents occurring in on-campus student housing facilities;
- Work with University departments to establish Clery Act-related educational programs and promotion of safety awareness programs;
- Provide University officials information concerning the State of Florida's registered sex offender data base;
- By October 1 of each year, publish the Annual Security and Fire Report for each campus and coordinate distribution to currently enrolled students and all employees. In addition, provide notice of the availability of the report to prospective students during orientation



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sessions.

- Directly support and advise appropriate University officials in developing procedures to disclose Missing Student Notification procedures pertaining to the University's students residing in on-campus student housing facilities.

### **Campus Security Authorities (CSAs):**

- Complete Clery CSA Mandatory Training on the FSU Human Resources Training module;
- Record information about reported crimes and submit the information to the FSU Police Department or other branch campus designee in accordance with University procedure for inclusion in the annual security report. The University encourages all students, employees, volunteers and guests of the University to report promptly any and all crimes to the FSU Police Department and/or local law enforcement as soon as possible. Victims or other reporting individuals may remain anonymous;
  - 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;
- Submit, either electronically via the FSUPD webpage or print/mail, all completed *Campus Security Authority Incident Report Forms* to the University Police Department as soon as possible.

### **Division of Student Affairs:**

- Work with students to promote adherence to the FSU Student Conduct Code in minimizing behavior that is inconsistent with the essential values of the University community;
- Promptly report any Clery Act related crimes to the University Police at your campus location;
- Annually provide all conduct referral data to the University Police Clery Compliance Coordinator for inclusion in the Annual Security Report;
- Maintain prompt, fair, and impartial disciplinary proceedings;
- Maintain and publish a policy statement that addresses missing student notification for students residing in on-campus student housing;
- Advise students residing in on-campus student housing of the option to register a contact strictly for missing person purposes;
- Report to the FSUPD or other branch campus designee, all fire related incidents occurring in on-campus student housing facilities;
- Establish and support educational programs to promote awareness of sex offenses, dating violence, domestic violence and stalking.

### **Human Resources:**

- Promptly report any Clery Act related crimes to the University Police;
- Provide notice of the availability of the annual security report to prospective employees.



**Deans, Directors, Department Heads:**

- Ensure that employees whose function meet the definition of a Campus Security Authority (CSA) are identified to the FSUPD;
- Ensure that CSAs complete online mandatory training provided through the FSU Human Resources Training module;
- Ensure that CSAs are familiar with reporting requirements to FSUPD and additional reporting procedures established by the Department, if applicable.

**Exemptions:**

The following individuals, when acting within the scope of their 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

**Records Retention:**

All supporting records shall be kept for three years following the publication of the last Annual Security and Fire Report to which they apply. Thus the records retention period is seven years after the date an incident was reported because each annual report includes data from the past three years. Records to be maintained include, but are not limited to, copies of crime reports, daily crime logs, arrest records, referrals for disciplinary action, timely warning and emergency notification reports, documentation, such as a letters to and from local police relating to Clery Act compliance, letters to and from CSAs; correspondence with the U.S. Department of Education regarding Clery Act Compliance and copies of notices about the availability of the Annual Security and Fire Report.

**DEFINITIONS:**

**Annual Security and Fire Report (ASFR)** – report for each campus location containing Clery Crime statistics by type and location for the previous three years; fire statistics for on-campus student housing facilities for previous three years; policy statements that address campus safety and security, crime reporting and crime prevention, disciplinary procedures, drug, alcohol and substance abuse, missing student notification; sex offender registry information; procedures for issuing timely warnings to the campus of potentially dangerous criminal and emergency situations, campus evacuation procedures; and arrests and referrals for disciplinary actions specified law violations.

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

**Campus Security Authority (CSA)** – individuals at the University who, because of their function,



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:

1. A member of a campus police/security department.
2. 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 the entrance to University property).
3. People or offices that are not members of a campus police/security department, but where policy directs individuals to report criminal offenses to them or their office.
4. Officials having significant responsibility for student and campus activities, including but not limited to, student housing, student discipline and campus judicial proceedings. "Official" is broadly defined as "any person who has the authority and duty to take action or respond to a particular issue on behalf of the institution."

Common examples of CSAs include (but are not limited to):

- Police and Security personnel
- Dean of Students
- An administrator of students
- Athletic Directors, Coaches, Trainers
- Student Sports and Recreation Staff
- Student Health Services Staff
- Officials who oversee extracurricular activities
- Faculty advisors and advisors to student groups
- Housing and Residence Life Staff
- Greek Life Affairs Coordinator
- Victim Advocate
- Title IX Coordinators

**Clery Act Crimes ("Clery Crimes")** – crimes required by the Clery Act to be reported annually to the University community, including: criminal homicide (murder and negligent/non-negligent manslaughter); sex offenses (rape, fondling, incest, statutory rape); robbery; aggravated assault; burglary; motor vehicle theft; arson; hate crimes (including larceny-theft, simple assault, intimidation, or destruction/damage/vandalism of property that are motivated by bias); dating violence; domestic violence; stalking; and arrests and referrals for disciplinary action for any of the following: (a) liquor law violations, (b) drug law violations, and (c) carrying and possessing illegal weapons.

**Clery Compliance Coordinators** – University officials designated at each campus branch to ensure compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). Manages and coordinates the University's Clery Act Compliance



Program.

**Emergency Notification** – 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 the campus.” An emergency response expands upon the definition of “timely warning” (see below), as it includes both Clery Act crimes and other types of emergencies (examples: a fire, infectious disease outbreak, terrorist attack, natural disaster, weather emergency).

**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 who lives in on-campus student housing has been missing for 24 hours. The intent of this notification process is to direct others who believe a FSU student is missing to immediately notify specific staff in the University administration, University Police and Public Safety, and local law enforcement.

**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 within 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 institution's 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.

**"Reasonably Contiguous" (as pertaining to a college campus)** – buildings or property owned or controlled by the institution, located in an area that is considered and treated as an integral part of campus and covered by the same security policies as the main campus.

**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** – an announcement made to alert the campus community about Clery Crimes and other serious incidents in the event that a reported crime may pose a serious or continuing threat to the campus and surrounding community.

**University Police and Clery Compliance Coordinators** – works collaboratively with various offices at the University to develop, implement and oversee programs that ensure the University's overall compliance with the Clery Act and associated regulations at all University campus locations.

### III. LEGAL SUPPORT, JUSTIFICATION, AND REVIEW OF THIS POLICY



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The Board of Trustees has delegated its authority over personnel programs to the President which is further delegated to the Vice President. Constitutional authority, federal statutes, state statutes, Florida Board of Governors regulations, and University regulations authorize the policy:

Higher Education Act of 1965 (HEA);

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 U.S.C. §1092 (f));

Violence Against Women Reauthorization Act of 2013 (VAWA).

***This policy applies to the FSU Main Campus as well as each branch campus, including foreign locations. This policy does not exempt any employee from complying with the University's Policy on SEX DISCRIMINATION AND SEXUAL MISCONDUCT.***

/s/ Name of Approving Official

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[Proof of approval retained in file]