	Procedures for Complying with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act	
	Responsible Administrative Unit: Institutional Equity and Title IX	**Policy Contact:** Director of Institutional Equity and Title IX, Katy Schmalzel (kschmalz@mines.edu)

1.0 BACKGROUND AND PURPOSE

Colorado School of Mines ("Mines") is required to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, commonly referred to as the Clery Act.

The Clery Act requires institutions of higher education receiving federal financial aid to report specified crime statistics on college campuses, immediate adjacent public areas and public areas running through the campus, as well as off-site locations, such as the Edgar Experimental Mine. The Clery Act provides other safety and crime information to members of the campus community.

Mines must comply with all reporting, documenting, and notification requirements of the Clery Act.

These requirements include, but are not limited to:

- Sending Emergency Notifications and Timely Warnings to campus
- Identifying, training, and managing *Campus Security Authorities (CSAs)*
- Maintaining a daily crime log and daily fire log
- Collecting reports of *Clery Crimes* made to Mines Public Safety, local law enforcement, and Mines' *CSAs*
- Ensuring correct information is collected and dispersed to the campus community through the Annual Safety Report
- Create and publish an annual report for the campus community which discloses statistics of *Clery Crimes* reported over the past three years
- Establishing Clery Act-related educational programs and promotion of safety awareness programs.

2.0 GUIDELINES

<u>All Faculty, Staff, Students, and Visitors:</u>

- Promptly report any activity on or around the Mines campus, or off-site locations, that is perceived as criminal, potentially dangerous, or suspicious to Mines' Public Safety or a *CSA.* Crimes may be reported on a voluntary, confidential basis.

Mines' *Clery Compliance Officer*, in conjunction with Mines Public Safety:

- Compile and disclose statistics of reports on types of *Clery Crimes* reported on or around the Mines campus, or off-site locations.

- Collect reports of *Clery Crimes* made to Mines Public Safety, local law enforcement, and *CSAs* who have significant responsibility for student and campus activities.

- Create and publish an annual report for the campus community which discloses statistics of *Clery Crimes* reported over the past three years, as well as University policies and procedures addressing campus security and safety.

  The annual report must include:
  - 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.

- Identify, notify, and train *CSAs* on a regular, ongoing basis regarding their obligations under the Clery Act for reporting any and all *Clery Crimes* that they witness or are reported to them.

- Work with departments on Mines' campus to establish Clery Act-related educational programs and promotion of safety awareness programs.

Mines' Police and Public Safety:

- Issue *Timely Warning* alerts to the campus and surrounding community about *Clery Crimes* in accordance with the Timely Warning/Emergency Notifications Policy.

- Issue *Emergency Notifications* with the campus and surrounding community when deemed necessary and appropriate in accordance with the Timely Warning/Emergency Notifications Policy.

- Maintain a daily crime log and daily fire log of all crimes and fire-related incidents reported.

- Compile and provide to the *Clery Compliance Officer* statistics of reports on the types of *Clery Crimes* reported on or around the Mines campus, or off-site locations.

- Work with the *Clery Compliance Officer* and other Mines departments to establish Clery Act related educational program and promotions of safety awareness programs.

Campus Security Authorities (CSAs):

- Hear or receive information of alleged crimes that are reported to them in good faith by others, or report alleged crimes that they may personally witness.

- Record information about crimes reported or witnessed to/by them. To record information reported/witnessed to/by them, the *CSA* must complete the *CSA* reporting form located: https://www.mines.edu/compliance/csa-reporting-form/.

- Submit reports to Mines' Police and Public Safety.

Dean of Students' Office:

- Promptly report any *Clery Act Crimes* to Mines' Police and Public Safety.

- Each month, provide all conduct referral data to Mines Public Safety and the *Clery Compliance Officer* for the inclusion in the annual security report.

3.0 COMPLIANCE/ENFORCEMENT

A federal fine can be issued to the institution if it does not comply with the Clery Act. Federal fines are determined by the United States Department of Education.

4.0 EXCLUSIONS

The following individuals, when acting within the scope of the official responsibilities are not *CSAs*, and as such, are excluded for the mandates of this policy:

- *Pastoral Counselors*
- *Professional Counselors*
- Person uncertified, by acting under the supervision of an exempt counselor.

5.0 DEFINITIONS

Campus Security Authority (CSA): Individuals at Mines who, because of their function for Mines, have an obligation under the Clery Act to notify

Mines' Public Safety of alleged *Clery Crimes* that are reported in good faith, or alleged *Clery Crimes* that they may personally witness. These individuals, 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 Mines' 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/contact with/for student and campus activities, including but not limited to, student housing, student discipline, and campus conduct proceedings.

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, statutory rape, and incest); 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 Officer: Works collaboratively with various offices at Mines to develop, implement and oversee programs that ensure Mines' overall compliance with the Clery Act and associated regulations at all of Mines' locations.

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*, as it includes both *Clery Act Crimes* and other types of emergencies (examples: a fire, infectious disease outbreak, terrorist attack, natural disaster, weather emergency).

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 *CSAs.*

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 *CSAs.*

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.

6.0 RESOURCES

- Guidelines for the Clery Policy
- Timely Warning/Emergency Notification Policy

KEY WORDS:

Clery Act, Campus Security Authorities, Timely Warnings, Emergency Notifications, CSA

7.0 HISTORY AND REVIEW CYCLE

The policy will be reviewed at least every 2 years, or as needed by the Responsible Administrative Unit.

Issued: February 26, 2020