

University Policy: Policy on Clery Timely Warning Notices, Safety Advisories and Emergency Notification

Policy Category: Public Safety

Subject: Issuing Clery Act Timely Warning Notices and Safety Advisories

Responsible Executive: Chief Financial Officer, Vice President & Treasurer

Office Responsible for Review of this Policy: Office of Finance and Treasurer

Procedures: The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)

Related University Policies:

I. SCOPE

This policy addresses the criteria and process for issuing Clery Act Timely Warning Notices to the American University Community.

II. POLICY STATEMENT

The University takes its duty seriously to inform students and campus community members of threatening situations and how they can best protect themselves from harm.

The purpose of this policy is to identify the means by which the American University community will be informed about certain categories of criminal activity occurring on campus, in or on non-campus buildings or property, or on public property, as defined below, when these activities are considered to be an ongoing threat to the campus community.

III. DEFINITIONS

Clery Act: A federal statute that requires all colleges and universities that participate in federal financial aid programs to keep and disclose information about crime on and near their respective campuses. The Act requires notification to students and employees whenever there is a threat that a serious crime is ongoing or may be repeated. Compliance is monitored by the United States Department of Education, which can impose civil penalties, up to \$35,000 per violation, against institutions for each infraction and can suspend institutions from participating in federal student financial aid programs.

On-Campus: (1) Any building or property owned or controlled by American University (AU) within the same reasonably contiguous geographic area and used by AU in direct support of or in a manner related to its educational purposes, including residence halls; and (2) any building or property that is within or reasonably contiguous to the area identified in (1), that is owned by AU but controlled by another person, is frequently used by students and supports AU's educational purposes (such as a food or other retail vendor.)

Non-Campus Buildings or Property: (1) Any building or property owned or controlled by a student organization that is officially recognized by AU; or (2) any building or property owned or controlled by AU that is used in direct support of or in relation to AU's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of AU.

Public Property: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus.

Clery Act Timely Warning Notice: American University issues Crime Alerts to fulfill the Timely Warning component of the Clery Act. Information on crime-related and other potentially threatening conditions provided in an accurate and timely fashion for use by students and other University community members to reduce their chances of becoming victims. These notices are specifically related to compliance with the federal Clery Act. Types of incidents or situations that may require the issuance of a Clery Timely Warning Notice include, but are not limited to:

- Criminal homicide (including nonnegligent and negligent manslaughter)
- Sex offenses (forcible/nonforcible)
- Aggravated Assault
- Burglary (occupied rooms/offices)
- Motor vehicle theft
- Arson
- Robbery
- Hate Crimes
- Domestic Violence
- Dating Violence
- Stalking

Safety Advisories: American University issues Safety Advisories to notify students and employees when it is determined that there is a string of criminal activity, usually property crime related or other criminal activity that is not subject to the timely warning standard required by the Clery Act. Examples of situations that may generate the decision to issue a Safety Advisory include, but are not limited to:

- Burglaries (unoccupied rooms/buildings/structures)
- Minor thefts
- General criminal activity (fraudulent use of credit cards/forgeries)

- Vandalism

Emergency Notifications: American University issues Emergency Notifications to students and employees upon confirmation of a significant, dangerous situation, incident or crime, posing an immediate threat to the campus community and/or the surrounding area. Examples of such situations may include, but are not limited to:

- Active Shooter
- Gas Leak
- Earthquake
- Armed Intruder
- Outbreak of serious illness
- Power Outage/Water Emergency

Campus Security Authority: University officials with significant responsibility for student and campus activities, campus police, or the local police.

IV. POLICY

The Clery Act identifies specific crimes that require a timely warning notice to be issued when crimes are reported to a Campus Security Authority and the reported crime is believed to have occurred on campus, in or on non-campus buildings or property, or on public property, as defined herein. It is the policy of American University to provide timely notice of continuing threats, especially concerning safety, to enable community members to protect themselves. The warning will be issued as soon as pertinent information is available. Issuing a timely warning shall be decided on a case-by-case basis in light of all of the facts surrounding a crime, including factors such as the nature of the crime, the continuing danger to the campus community, date of disclosure and the possible risk of compromising law enforcement efforts. Generally, the warning will specify the type of reported crime, the time and location at which the reported crime occurred, and specific advice to the campus community regarding steps to take to avoid becoming a victim. Timely Warnings will never disclose the name or any identifying characteristics of a crime victim.

Timely Warnings and Safety Advisories may be disseminated to campus community members through one or a combination of the following methods:

- Email
- Text messaging to cell phones
- Paper Flyer Postings
- University Police website
- Other methods deemed necessary to disseminate the information

Emergency Notification will be issued without delay and taking into account the safety of the community. American University will determine the content of an Emergency Notification and initiate the notification system, unless the aforementioned notification will compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

The university operates a campus notification system, AU Alert, which will provide immediate notification and updates to students, faculty, and staff, with information and instructions. Public Safety will use this system to notify the campus community of the nature of the emergency and procedures to follow.

Emergency Notifications may be disseminated to campus community members through a variety of methods to include:

- Email
- In-building alarm systems
- Text messaging to cell phones
- Outdoor Speaker Systems
- Wall-mounted beacons
- Desktop Alerts
- University Police website
- Other methods deemed necessary to disseminate the information

The decision to issue a Clery Timely Warning Notice, Safety Advisory or Emergency Notification is made at the sole discretion of the Executive Director of University Police and Emergency Management or his/her designee. This policy is published in American University's Annual Security Report issued and distributed each Fall semester.

V. EFFECTIVE DATE AND REVISIONS:

This Policy is effective as of May 1, 2015.