



UNIVERSITY POLICY

STUDENT LIFE POLICIES

Number: 706
Subject: Clery Act Compliance Policy
Covered Individuals: UIU Employees and Students
Covered Campus Locations: All Locations
Effective Date: October 14, 2014
Date of Latest Revision: December 11, 2019

PURPOSE

Upper Iowa University (UIU or University) is committed to the safety and well-being of all members of the University community. The purpose of this policy is to ensure UIU's compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery or Clery Act) and the Violence Against Women Act (VAWA) Amendments to the Clery Act.

DEFINITIONS

Annual Security Reports – Reports by the University required by Clery, for each UIU location, distributed to all students and employees and to the U.S. Department of Education by October 1st of each year. The reports include crime data for Clery crimes, fire incident data for UIU residential facilities, security policies and procedures in place to protect the UIU community, and information on the handling of threats, emergencies, and dangerous situations on the Fayette campus and the Centers.

Campus Security Authority (CSA) – Individuals at the University who, because of their functions at 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. There are four general categories of CSA's: campus police officers or campus security officers; individuals who have responsibility for campus security in some way but are not campus police officers or security officers; other specified individuals to whom students and employees should report criminal offenses; and officials of the University who have significant responsibility for student and campus activities, including but not limited to student housing, student discipline, and campus judicial proceedings, as well as the Title IX Coordinator and the Deputy Title IX Coordinators.

Clery Crimes – Defined by the Clery Act as the following types of crimes: criminal offenses including criminal homicide, sexual assault, robbery, aggravated assault, burglary, motor vehicle

theft, and arson; hate crimes including 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 including any incidents of sexual assault, domestic violence, dating violence, and stalking; and arrests and referrals including weapons violations, drug abuse violations, and liquor law violations.

Clery Geography – Includes the Fayette campus, public property within or immediately adjacent to the campus, and Center buildings or property that the University owns, leases, or controls.

POLICY

In order to comply with the requirements of the Clery Act, UIU must:

- Compile statistics of Clery Crimes that occur inside Clery Geography.
- Collect reports of Clery Crimes made to the Fayette Police Department, which serves as Campus Police for the Fayette campus, other law enforcement agencies that have Centers in their jurisdiction, and CSAs.
- Publish and distribute to all students and employees by October 1st of each year the Annual Security Reports.
- On an annual basis, report Clery Act crime statistics and fire incident statistics to the Department of Education as required.
- Identify CSAs on a regular and ongoing basis and notify these individuals of their obligations under the Clery Act to report all Clery Act crimes that they witness, or are reported to them.
- Provide mandatory training for all CSAs during the first year they serve as CSAs.
- Maintain a daily crime log that includes all criminal incidents and alleged criminal incidents that are reported to the UIU campus police. This log will be available for public inspection, upon request.
- Maintain a fire log that records all reported fires occurring in UIU student housing facilities. This log will be available for public inspection, upon request.
- Issue timely warnings to alert the Fayette campus and the Centers of Clery Crimes that occur in Clery Geography and pose a serious or continuing threat to the applicable campus or Center community. Timely warnings will be disseminated throughout the community as soon as pertinent information is available and will provide information that will allow members of the campus or Center community to protect themselves and prevent similar crimes from occurring.
- Issue emergency notifications for any significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the Fayette campus or a Center.
- In the event that a student residing in UIU student housing is reported as missing, notify the UIU Campus Police as well as the persons designated by the allegedly missing student as missing student contacts within 24 hours.

Clery Crimes – If any of the offenses listed in the Clery Crimes definition were reportedly committed as “hate crimes,” that must be separately indicated in the Annual Security Report

statistics. A hate crime occurs when the offender is motivated by bias against the victim. Under the Clery Act, “bias” is a preformed negative attitude or opinion towards a group of persons based on their race, gender, religion, disability, sexual orientation, or ethnicity/national origin. Reports of attempts of any of these types of crimes are also considered to be Clery Crimes; for example, an attempted sexual assault must be included in the statistics for forcible sex offenses. The final element of Clery Crimes that must be reported in the Annual Security Report are arrests and referrals for UIU disciplinary action for any of the following: liquor law violations, drug law violations, and weapons law violations.

CSAs – In the 4th category of CSAs identified above, the Clery Act rules specifically designate the following as CSAs: police and security personnel; the Dean of Students; the student conduct officer; athletic directors; athletic coaches; the Director of Residence Life; the Director of Student Activities; faculty/staff advisors to recognized student organizations; the Coordinator of Greek Life; Resident Advisors and Assistants; and the Sexual Assault Response Team. Other UIU officials, such as Deans, are also CSAs based on their job duties. Clery requires colleges and universities to collect crime reports from all individuals and offices who are CSAs in order to present complete and accurate data to the campus community and respond to safety issues. UIU’s compliance with the Clery Act depends on the cooperation of CSAs.

Annual Security Reports – By October 1st of each year the Annual Security Reports for each location must be published and distributed to all currently enrolled UIU students and all employees. The Clery Act permits institutions to distribute Annual Security Reports by posting them online and sending individual notifications to each student and employee announcing the availability of each location’s report and its URL on the UIU web site. Annual Security Reports must also be provided to prospective UIU students and employees upon request. Online and written materials for prospective students and employees should include the URL address for their location’s Annual Security Report and a statement that UIU will provide a paper copy of the report upon request. The University is also required to annually report crime and fire incident statistics to the U.S. Department of Education via its web-based data collection site.

Records Retention – All supporting records must be kept for three years following the publication of the last Annual Security Report to which they apply. Therefore, the records retention period is seven years after the date an incident was reported because each Annual Security Report includes data from the past three years. Records to be maintained include, but are not limited to, copies of crime reports, the daily crime logs, records of 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 Act compliance, and copies of notices to students and employees about the availability of Annual Security Reports.

RULES, PROCEDURES, GUIDELINES, FORMS, AND OTHER RELATED RESOURCES

[Title IX: Sexual Misconduct Policy](#)
[Discrimination, Harassment, and Retaliation Policy](#)

CONTACTS

Acting as the policy owner, the Office of the Dean of Students is responsible for answering questions regarding the application of this policy.

SANCTIONS

N/A

HISTORY

September 22, 2014 – Policy recommended by the University Policy Committee

October 14, 2014 – Policy approved by Executive Leadership Team (precursor to President's Council)

November 25, 2019 – Revision and reformatting of policy recommended by the University Policy Committee

December 11, 2019 – Revised and reformatted policy approved by the President's Council