



RUTGERS POLICY

Section: 30.3.2

Section Title: Police

Policy Name: Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

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Responsible Executive: Senior Vice President for Administration

Responsible Office: Division of Administration & Public Safety

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Errors or changes? apspolicies@aps.rutgers.edu

1. **Policy Statement**

It is the policy of Rutgers, The State University to adhere to the provisions of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and any related procedures established by the US Department of Education.

2. **Reason for Policy**

The purpose of this policy is to codify the policy of Rutgers, The State University of New Jersey concerning the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

3. **Who Should Read This Policy**

- a. All members of the Rutgers University community
- b. Campus Security Authorities (CSAs)

4. **Related Documents**

- a. Clery Act 20 USC §1092(f)
- b. Higher Education Opportunity Act of 2008 P.L. 110-315

5. **Contacts**

Division of Administration & Public Safety
<http://aps.rutgers.edu>

6. The Policy

30.3.2 JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT

The **Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act** is the landmark federal law, originally known as the Campus Security Act that requires colleges and universities across the United States to disclose information about enumerated criminal offenses which occur on and around their campuses.

Because the law is tied to participation in federal student financial aid programs it applies to most institutions of higher education both public and private. It is enforced by the U.S. Department of Education.

The "Clery Act" is named in memory of 19 year old Lehigh University freshman Jeanne Ann Clery who was raped and murdered while asleep in her residence hall room on April 5, 1986.

On August 14, 2008, the Higher Education Opportunity Act (HEAO) reauthorized and expanded the Higher Education Act of 1965, as amended. HEOA amended the Clery Act and created additional safety and security related requirements for institutions.

The purpose of the Clery Act is to provide current and prospective students (and their families) and employees with accurate, complete, and timely information about campus safety so that they can make informed decisions.

A. Campus Security Authority

1. The term **campus security authority** is a Clery-specific term that encompasses four groups of individuals and organizations associated with Rutgers University who are required to report crime information to the Rutgers University Police Department (RUPD).
 - A campus police department or a campus security department of an institution.
 - Any individual or individuals who have responsibility for campus security but who are not members of this department.
 - Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
 - An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings.

For example, a dean of students who oversees student housing, a student center or student extracurricular activities has significant responsibility for student and campus activities. Similarly, a director of athletics, a team coach and a faculty advisor to a student group also have significant responsibility for these activities. Students may, in some cases, be considered campus security authorities (e.g., resident advisors/assistants, students who monitor access to dormitories).
2. A campus security authority is not responsible for determining authoritatively whether a crime took place - that is the function of the RUPD. *For example, if a resident assistant who has been identified as a campus security authority is told by a fellow student that he/she has been sexually assaulted, the resident assistant should report this as a crime. It is reported regardless of whether the victim chooses to file a report with law enforcement or press charges.*

B. Clery Act Requirements

1. *Clery Act* requirements must be met individually for each of the University's campuses.
2. Compliance with the Clery Act is not a once-a-year event. Many requirements are ongoing, such as crime information collecting, campus alerts and log updating, while other requirements are less frequent, such as the annual reports and submission of data.
3. The basic requirements of the Clery Act are:
 - **Have emergency notification and evacuation procedures** for alerting the campus community about significant emergencies or dangerous situations; and
 - **Issue timely warnings** to alert the campus community about crimes that pose a serious or continuing threat to safety; *and*
 - **Keep a crime log** that records, by date reported, all crimes reported to this department; *and*
 - **Keep a fire log** that records by date reported, all fires in on-campus student housing facilities; *and*
 - **Collect crime reports from campus security authorities** within the institution; and
 - **Request crime statistics from local law enforcement** in the jurisdiction where the institution is location; and
 - **Submit crime and fire statistics to Education** via a Web-based data collection; and
 - **Have missing student notification procedures** to aid in determining if a student is missing and in notifying law enforcement personnel; and
 - **Publish an annual security report** containing campus security policy disclosures and crime statistics for the previous three years; and
 - **Publish an annual fire safety report** containing policy disclosures and fire statistics for on-campus student housing facilities for the previous three years.
4. While responsibility for compliance with these requirements rests with the RUPD; the University's Fire Log is maintained by the Chief of the University's Department of Emergency Services.
5. Pursuant to 20 United States Code section 1092(f), the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act," and the Code of Federal Regulations (CFR) each institution of higher education in the United States which participates in federal student aid programs must produce and distribute an annual report containing crime statistics and statements of security policy.
6. The comprehensive annual security report published for the Rutgers University Community is called "Safety Matters."
7. Safety Matters shall be published each year by October 1.

C. Compliance

1. Compliance with the Clery Act is a University-Wide responsibility which requires the concerted efforts of nearly every University Department.
2. The Vice President for Administration and Public Safety (VPAPS) is responsible for coordinating the University's compliance with all aspects of the Clery Act.
3. Several University Departments (student affairs, housing, athletics, etc...) have unique responsibilities relative to each of their functional areas.

D. Data Collection

1. The VPAPS shall annually collect statistical data from the university community in accordance with the requirements of the Clery Act.
2. All members of the university community shall fully comply with a request by the VPAPS or designee by responding on a form prescribed by the VPAPS and by the deadline specified.