



Campus Security Authority (CSA) Guidelines (updated 3/14/18)

What is the Clery Act?

In 1990, Congress approved the Crime Awareness and Campus Security Act, which was renamed in 1991 in memory of Jeanne Clery, who was raped and murdered in her college residence hall. The Clery Act requires campus crime statistics be collected and included in the institution's annual security report (ASR), which is distributed by October 1 of each year. Site specific ASRs for Kirksville, Mesa, St. Louis, and the SOMA distance sites may be found at www.atsu.edu/security.

Who is a CSA?

The law defines four categories of CSAs:

1. Campus police or security department;
2. Persons responsible for campus security, but who are not campus security officers;
3. Persons with significant responsibility for students and campus activities (including advisors for student organizations); and
4. Persons designated by the University as someone to whom crimes should be reported.

ATSU has designated over 100 CSAs. A list of current CSAs is available upon request to Dawn Shaffer, compliance manager, at dshaffer@atsu.edu. The list is updated and expanded, as needed.

Licensed professional counselors and pastors working within the scope of their license or religious assignment at the time they receive the crime report are exempt from reporting.

What is a CSA required to do?

1. If a crime is reported to a CSA by anyone (students, employees, or anyone else), the CSA must **immediately** complete a Crime Report Form and submit it to rfrazier@atsu.edu. **This is the foremost responsibility of the CSA, and time is of the essence. ATSU may have responsibilities to the reporting party and/or campus community under Clery and other laws, including Title IX. There are actions the University is required to take in response to certain crimes, and the University is dependent upon the CSA for their important role of reporting the crime through the Crime Report Form.**

2. Information needed for the Crime Report Form includes:
 - a. Incident date and time
 - b. When the incident was report to the CSA;
 - c. Incident location (exact location is helpful for classification of crimes); and
 - d. A description of incident.
3. If the reporting party desires to make a report to local law enforcement, offer to assist them and dial 9-1-1 to contact the police.
4. Discuss any concerns about confidentiality. More information about privacy and confidentiality is found below.

A Crime Report Form is available at www.atsu.edu/security or by email request to dshaffer@atsu.edu.

What does a CSA not need to do?

1. Prove what happened or who was at fault;
2. Make decisions about the truth of the report;
3. Locate the alleged perpetrator;
4. Insist the reporting party make a police report or talk to Security. That decision is up to the reporting party;
5. Press for more information than the reporting party is willing to provide; or
6. Classify the type of crime. ATSU Security, in conjunction with the vice president & general counsel, will determine the proper classification of the crime for Clery reporting.

Does it matter where the alleged crime occurred?

ATSU wants CSAs to report all crimes reported to them, regardless of where they occurred or the nature of the crime. CSAs should report the location of the crime as clearly and in as much detail as possible. This enables Security to determine whether the crime occurred in ATSU’s “Clery geography” and helps avoid double-counting.

While CSAs are not responsible to determine Clery geography, following are the categories and definitions.

Clery Geography	Definition
1. On campus	a. Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and b. Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).
2. Noncampus building or property	Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

3. 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.
4. Campus student housing	This category is a subset of the “on-campus” category. At ATSU, only the Kirksville campus has student housing.

What crimes should be reported?

Again, CSAs should report all crimes, whether they are the types of crimes required to be reported under Clery, or not. The information provided on the Crime Report Form will enable Security to determine if the crime is reportable under Clery.

While CSAs are not asked to classify the type of crime, following is a list of Clery-reportable crimes.

Types of crimes	Classifications of crimes
Primary Crimes	Murder/non-negligent manslaughter Negligent manslaughter Sex offenses (rape, fondling, incest, statutory rape) Robbery Aggravated assault Burglary Motor vehicle theft Arson
Arrests and referrals for disciplinary action	Drug law violations Liquor law violations Weapons law violations
2013 Clery additions	Domestic violence Dating violence Stalking
Hate crimes – motivated by the offender’s bias. Bias categories: race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, disability	Any of the above crimes Larceny-theft Simple assault Intimidation Destruction/damage vandalism

When a CSA reports a crime, does that mean that a police investigation will be initiated?

No. Although the University strongly encourages reporting parties of any crime to report incidents to law enforcement, and to seek assistance through legal channels whenever possible, it is the reporting party’s decision whether or not to report to police. CSAs should not pressure someone to report to police, but they should offer to assist the reporting party in making a report, if they so choose.

What if someone wants to report confidentially?

There are two answers to this question, depending on the type of crime.

1. Confidential reports may be made for crimes EXCEPT for sexual assault, dating violence, domestic violence, and stalking.
2. For crimes of sexual assault, dating violence, domestic violence, and stalking, if the reporting party requests confidentiality or asks that a report not be investigated, the University will take reasonable steps consistent with the request. The University's ability to respond may be limited in such cases. ATSU may not be able to grant such a request for confidentiality when the allegation suggests a continuing threat to the University community.

Reports made by students to ATSU licensed mental health wellness counselors WILL be kept confidential. Licensed mental health wellness counselors are not CSAs and do not report crimes.

If the reporting party prefers to make an anonymous report, they may do so through a secure online reporting form at <http://www.fraudhl.com> or through a 24-hour telephone service at 1-855-FRAUD-HL. These anonymous reports limit the University's ability to respond, and may result in double-counting of crimes since there may not be a way to cross-check.

What fines and/or sanctions could the University face if a CSA fails to report an incident?

The United States Department of Education (ED) enforces the Jeanne Clery Act, and may level penalties against institutions of higher education up to **\$54,789 per violation** (as of April 2017) or may suspend them from participating in federal student financial aid programs. Complaints of violations of the Clery Act may be filed with ED regional offices.

What is a "timely warning" under Clery?

The University is required by law to immediately alert the campus community of Clery-reportable crimes if there is serious or continuing threat to the campus community. ongoing danger to the campus community. The decision whether or not to issue a timely warning is made on a case-by-case basis by designated University officials, not by CSAs. This is another reason why quick, accurate reporting of crimes is crucial.

Questions?

Questions about the content of these Guidelines may be referred to:

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Additional information on the Clery Act may be found at www.clerycenter.org. The Handbook for Campus Safety and Security Reporting may be found on the Department of Education website at <http://www.ed.gov/admins/lead/safety/campus.html>.