

Your role as Campus Security Authority

under the Jeanne Clery Campus Disclosure of
Campus Security Policy and Campus Crime
Statistics Act (the “Clery Act”)



Agenda

- History and Overview
- Campus Security Authority (CSAs) definition, types, and role
- Collecting, Classifying & Reporting Crime Data
- Where Title IX and Clery Overlap
- University Recourses

History of the Clery Act

The Clery Act is named in memory of 19-year-old Lehigh University freshman Jeanne Ann Clery who was raped and murdered in her residence hall room on April 5, 1986. Her parents believe she would have been more cautious if she had known about other violent crimes at Lehigh.

History (continued)

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the “Clery Act”) 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.

History (continued)

- 1988-Became law in Pennsylvania
- 1990-Became a federal law: *Crime Awareness and Campus Security Act*; amended the Higher Education Act (HEA) of 1965
- 1998-Renamed “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act” (aka the “Clery Act”)
- 2000 & 2008-Amended as part of the Higher Education Opportunity Act (HEOA)
- 2013-Amended as part of the Violence Against Women Act (VAWA)

Penalties for Clery Noncompliance

The U.S. Department of Education monitors compliance with the Clery Act and 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.

What is the purpose of Clery?

To ensure that students know about the dangers on their campuses, the Clery Act requires institutions to gather and publish de-identified crime data from Campus Security Authorities.

Why was I designated as a CSA?

- University Audit & Compliance, General Counsel, and the University Police

Department worked with Human Resources and the organizational units to identify the appropriate employees by Clery definition.

- Unit HR Reps

What are Campus Security Authorities?

Campus Security Authorities (or “CSAs”) is a Clery-specific term that encompasses four groups of individuals and organizations associated with an institution who are

responsible for reporting crimes under the Clery Act.

Clery defines 4 Types of Individuals and organizations to be CSAs

- 1. Campus Law Enforcement.** For example:
 - USF St. Petersburg Police Department
- 2. Non-law enforcement campus security.** For example:
 - Special events security staff

- Security officers responsible for monitoring or controlling entrance to campus property
- Parking and Transportation Patrollers
- Safe Team

CSA Types (continued)

- 3. Any individual or organization to which our policy states students and employees should report criminal offenses. For Example:**
 - Regional Chancellor's Office and Staff

- Director of Student Affairs

4. USF Officials who have significant responsibility for student and campus activities. This includes, but is not limited to, individuals involved in the following:

- Student housing
- Student discipline
- Campus judicial proceedings

Examples of CSAs at USFSP

Note: This list is not exhaustive.

Examples of USF Officials who have significant responsibility for student and campus:

- Dean of Students
- Provost and Staff
- Representatives of Housing and Resident Life
- Student Judicial Programs or Other Discipline Officials
- Directors or Managers of Student Service Centers
- Officials who oversee extracurricular activities
- Director of Campus Rec, Coaches, Trainers, Staff
- Student Health Directors
- Faculty Advisors and Advisers to Student Groups

What are some examples of individuals who are CSAs under Clery?

Note: This is not an exhaustive list

- A dean of students who oversees student housing, a student center, or student extracurricular activities
- A director of athletics or a team coach
- An advisor to a student group

- A student resident advisor or assistant or a student who monitors access to dormitories

What are some examples of individuals who are not CSAs under Clery?

Note: This is not an exhaustive list

- A faculty member who does not have any responsibility for student and campus activities beyond the classroom
- Clerical or cafeteria staff

What about Pastoral and Professional Counselors? Are they CSAs?

Although they have significant responsibility for student and campus activities, pastoral counselors and professional may be exempt from reporting in certain circumstances.

Pastoral and Professional Counselors do NOT have to report if:

- They are a licensed mental health counselor or a pastoral counselor (recognized by a religious organization to provide confidential counseling) **AND**
- They are working within the scope of their license or religious assignment

A special note to Counselors...

- Even though as a counselor, under certain conditions, you do not have to report, you can tell the person how he/she can report the crime to Police
- USFSP encourages reports of crimes by counselors and victims

Ok, I think I am a CSA...What should I do?

When you became aware of a crime, report it to the USF St. Petersburg Police Department's Clery

Coordinator using the *CSA Crime & Incident Report* Form available on the USF Police Department web site.

www.usfsp.edu/police

What is reportable under Clery?

Clery crimes and incidents are broken down into three categories:

- 1. Criminal offenses** – homicide, sexual offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson, dating violence, domestic violence, and stalking
- 2. Hate crimes** – any of the above plus larceny-theft, simple assault, intimidation, or destruction/damage/vandalism of property *if motivated by hate or bias*
- 3. Arrests and referrals for disciplinary action** – weapons, drug law violations, liquor law violations

Criminal Offenses

- Murder and Non-Negligent Manslaughter
- Negligent Manslaughter
- Sex Offense, forcible
- Sex Offense, nonforcible
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- Dating violence
- Domestic violence

- Stalking

Hate Crimes

- Motivated in whole or part by hate or bias includes all of the other Criminal Offenses plus:
 - Larceny/theft
 - Simple assault
 - Intimidation
 - Destruction, Damage or Vandalism of Property
- Bias categories:
 - Race
 - Gender
 - Gender Identity
 - Religion
 - Ethnicity
 - Disability
 - Sexual Orientation
 - National Origin

Arrests and Referrals

- Report violations of the law
- Do not report violations of university policy
- Includes violations of the law for carrying and possessing weapons, drug abuse, and liquor law violations

Where can I find Clery Crime definitions?

- Summary definitions are on the CSA Crime & Incident Report Form.
- Detailed definitions and examples are in The Handbook for Campus Safety and Security Reporting.

These materials are available online on the USFSP St. Petersburg Police Department web site.

www.usfsp.edu/police

Helpful Reporting Tips

- Make sure that you clearly define the location
- Ask for important details such as when the crime occurred and what happened
- If not sure how to classify the crime pick the best suited and provide details in the comment section—University Police will sort it out
- Refer the student to the Wellness Center or USFSP Victim Advocate

What Not to Report

DO NOT REPORT CRIMES IF

- A person tells you about a crime that occurred before he/she came to USF; OR
- While he/she was away from campus and not involved in a USF activity.

What shouldn't a CSA do?

- Do NOT try and determine authoritatively whether a crime took place or who was at fault—that is the function of law enforcement
- Do NOT try to apprehend the alleged perpetrator of the crime—that is the function of law enforcement
- Do NOT try to convince a victim to contact law enforcement if the victim chooses not to do so
- Do NOT identify the victim unless the victim consents to being identified

What information should I provide to the person reporting the crime to me?

- Inform the person you must report the incident as an anonymous statistic but will not identify anyone involved unless the victim consents to being identified
- Tell the person their options for reporting the crime directly to the Police
- Encourage them to seek medical help

- Refer them to the Wellness Center or the USFSP Victim Advocate

What does the Clery Coordinator do with crime reports from CSAs?

The Clery Coordinator determines whether or not the crime is reportable under Clery and, if so, includes the de-identified crime as a statistic published October 1st in our Annual Security and Fire Safety Report, available on the USFSP Police Department web site.

Intersectionality between statutes on Sexual Harassment/Violence

Reporting-Who reports

- Responsible employees vs. Campus Security Authority-CSA

Confidentiality

- Who keeps confidentiality? What exceptions?

Domestic Violence

- Safety of Victim

Title VII

F
E
R
P
A

Title

IX

Athletics
Academic Support

Sexual
Harassment
Sexual Violence
Domestic Violence
Stalking

CLERY
ACT/
VAWA

Criminal offenses
Hate crimes

Who Reports Title IX Violations?

Employees who must report according to USF policy:

- Employees who supervise other employees
For example: Deans, Directors, Department Chairs, Coordinators, Unit Heads, Managers, and Principal Investigators
- All faculty, coaches, trainers
- Employees who supervise students
 - RA's

- Academic advisors
- Student activity coordinators
- Graduate assistants.

How Do I File a Title IX Complaint ?

- Students reporting sexual violence may file a complaint with one of the Title IX Coordinators
- Alternatively, you may file an anonymous complaint via EthicsPoint—our third party hosted hotline— by calling 1(866) 974-8411 or accessed online at

<https://secure.ethicspoint.com/domain/media/en/gui/14773/index.html>.

- Request an advocate from the USF Center for Victim Advocacy & Violence Prevention to assist you in filing a complaint

USF Resources

- **USFSP Victim Advocacy**
 - Wellness Center (SLC), Room 2200, Phone 698-2079
- **USF Counseling Center**
 - Wellness Center (SLC), Room 2200, Phone 873-4422

- **USFSP Office of Student Rights and Responsibility**
 - RHO Building (RHO), 500 2nd Street S, Phone 873-5027
- **USF Diversity, Inclusion and Equal Opportunity Office (DIEO)**
 - John and Grace Allen Building (ALN), Rm. 172 Phone 974-4373

Resources are listed in USF System Policy 0-004 Sexual Misconduct/Sexual Harassment (Including Battery)

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USF System Clery Coordinators

USF Tampa—Sergeant Todd Gregory

USF Tampa Police Department



4202 E Fowler Ave, UPB002 | Tampa, FL 33620-8750
(813) 974-2362 | Fax: (813) 974-5616
tgregory@usf.edu | usfpd.usf.edu

USF St. Petersburg—Chief David Henry

University Police Department
140 Seventh Avenue South, FPF 105 | St. Petersburg, FL 33701
(727) 873-4475 | Fax: (727) 873-4122
davidhendry@usfsp.edu | www.usfsp.edu/university-police-department/

USF Sarasota-Manatee—Chief Michael A. Kessie

Campus Police Department
5800 Bay Shore Road, CPD | Sarasota, FL 34243
(941) 487-4210 | Fax: (941) 487-4799 mkessie@ncf.edu
| www.usfsm.edu/campuspolice

Title IX Deputy Coordinators

Title IX Coordinator:

Jose E. Hernandez, Ed. D. •
Chief Diversity Officer
Office of Diversity, Inclusion
and Equal Opportunity ALN
172 jehernan@usf.edu
813-974-0537

Duties and Responsibilities:

Monitoring and oversight of overall implementation of Title IX Compliance at the University System, including coordinating the review processes for faculty, staff, students and other members of the University System community.

Title IX Deputy Coordinators:

USF Tampa-

- Camille Blake-USF employees
 - 813-974-3906
- Rhonda Ferrell Pierce-USF employees
 - 813-974-3970
- Winston Jones-USF Tampa students
 - 813-974-9443

Jocelyn Fisher-Athletics
813-974-6885

USF Health Students

- **Olga Joanow**
- 813-974-1676

USF ST. Petersburg Students

- **Dr. Jacob Diaz**, PNM 101B
- (727) 873-4286

- USF Sarasota/Manatee Students
 - **Bryan Valentine**

- 941.359.4268