



Clery Act Compliance Policy

Policy:

St. Bonaventure University is committed to the safety and well-being of all members of the campus community. Federal laws, including the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (**Clery Act**), require colleges and universities to inform the campus community, and prospective members of the campus community, of crimes that occurred on or near the campus, and provide other information about campus safety and security policies and procedures. This policy provides guidance on St. Bonaventure University's efforts to comply with the Clery Act. Compliance with the Clery Act is one way the University demonstrates its commitment to campus safety and security.

Purpose:

This policy outlines requirements regarding crime reporting, information related to fire safety provisions, and other procedures and practices required by the Clery Act to promote safety and security on campus.

Scope:

This policy applies to all members of the University community as well as all individuals who are on University premises.

Accountability:

The University's Clery Act Compliance Officer, with support from the Clery Compliance Committee, implements and ensures compliance with this policy.

Procedures:

In accordance with the Clery Act, and applicable Office of Safety & Security operating procedures, the University shall:

- Issue Timely Warnings to alert the campus community of Clery Crimes reported to campus security authorities or local police that are alleged to have occurred on the University's Clery Act geography and pose a serious or continuing threat to students and/or employees. Timely Warnings will be disseminated throughout the community as soon as pertinent information is available and will provide information that will allow the community to take precautions to protect themselves and prevent similar crimes from occurring. The names of any victims shall not be disclosed as part of a timely warning.
- Issue Emergency Notifications to immediately alert and inform the campus community upon confirmation of a "significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus." An "immediate" threat includes an imminent or impending threat, such as an approaching significant weather event, outbreak of serious illness, bomb threat, civil unrest or rioting, and terrorist incident.

- Maintain a daily crime log of all criminal incidents reported to the Office of Safety & Security that are alleged to have occurred on the University's Clery Act geography or otherwise within the patrol jurisdiction of the Office of Safety & Security. This log will be available for public inspection during normal business hours in the Office of Safety & Security, Robinson Hall, when, as, and to the extent required by the Clery Act.
- Maintain a daily fire log of all fires reported in on-campus student residential facilities. This log will be available for public inspection during normal business hours in the Office of Safety & Security, Robinson Hall, when, as, and to the extent required by the Clery Act.
- Compile and disclose statistics of reports on the types of Clery crimes that occur on the University's Clery Act geography.
- Collect reports of Clery Act crimes made to the Office of Safety & Security, local law enforcement, University officials and others associated with the University (CSAs) who have significant responsibility for student and campus activities.
- Create and publish an Annual Security and Fire Safety Report disclosing statistics of Clery crimes reported on the University's Clery Act geography over the past three most recently completed calendar years, fires reported in University on-campus residential facilities, as well as certain University policies and procedures addressing campus security and safety. This Report will be available on the Safety & Security website, [Annual Campus Security and Fire Safety Report](#). A "Notice of Availability" of the Report will be disseminated to the University community via email notification of its completion and publication each year, and the Report will be made available to prospective students and employees. The University will also provide crime and fire statistics for the prior three years to the U.S. Department of Education on an annual basis.
- Identify CSAs on a regular, ongoing basis (no less than annually), and notify these individuals of their obligations under the Clery Act to report any and all alleged and actual Clery Act crimes that are reported to them, or that they personally witness, occurring on the University's Clery Act geography. Any Clery Act crimes in progress should be immediately reported to Safety & Security 716.375.2525; and CSAs must also complete a [CSA Report Form](#) online, even when a verbal report has been made to the Office of Safety & Security.
- Provide annual, mandatory training for all CSAs.
- Establish a Missing Student Policy, and issue notification to an emergency contact and/or parent/legal guardian, and local law enforcement agency, within 24 hours after a student who lives in on-campus housing has been determined to be missing, as well as generate a missing person report; and issue notification to an emergency contact and/or parent/legal guardian when advised by local law enforcement that a student who lives off campus has been determined to be missing.

Specific requirements and procedures pertaining to these and other Clery Act obligations may be found in separate University policies implementing them.

Responsibilities:

1. University Faculty, Staff, and Students utilizing and/or present in or on University facilities and/or property shall:
 - Promptly report any and all activity that is perceived as criminal, potentially dangerous or suspicious to the Office of Safety & Security or a CSA.
 - Immediately notify the Office of Safety & Security of any situation or incident on campus that involves a perceived emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of students and/or employees on campus, as well as any ongoing threat to University property.
2. University Faculty or Staff responsible for **Off-Campus** Student Trips shall:
 - Promptly fill out the [Clery Student Travel Form](#) for each University-sponsored trip (both domestic and international).

3. University visitors utilizing and/or present in or on University facilities and/or property shall:
- Promptly report any and all activity that is perceived as criminal, potentially dangerous or suspicious to the Office of Safety & Security or a CSA.
4. The Clery Compliance Officer shall:
- Compile and disclose all statistics relating to reported Clery Act crimes that occur on the University's Clery Act geography.
 - Request and make a reasonable good-faith effort to obtain on an annual basis Clery Act crime statistics from all local law enforcement agencies with jurisdiction over some or all of the University's Clery Act geography, which such statistics, if provided, shall be included as part of the University's Clery Act crime disclosures.
 - Collect and maintain all reports of crimes made to the Office of Safety & Security, local law enforcement, or CSAs.
 - By October 1st of each year, create and publish an Annual Security and Fire Safety Report, which is available to the University community and the public (including prospective students and employees) and which includes, among other things:
 - Clery Act crimes data by type over the past three (3) years;
 - Security policies and procedures in place to protect the University community; and
 - Information on the handling of threats, emergencies and dangerous situations.
 - Notify via e-mail all currently enrolled students of the availability of the Annual Security and Fire Safety Report, providing: (i) a statement of the report's availability; (ii) a list and brief description of the information contained in the report; (iii) the exact URL (a direct link) for the website at which the report is available; and (iv) a statement that a paper copy of the Annual and Fire Safety Security Report is available without fee upon request, and how to obtain a copy. Requests may be made in writing (including email), by phone, or in person.
 - Conduct at least one announced test of emergency response and evacuation procedures per year. The Clery Compliance Officer will document and publicize a description of the test/drill/exercise, the date held, the time started and ended, whether the test/drill/exercise was announced or unannounced, and include any follow-through activities designed for assessment and evaluation of emergency plans and capabilities.
 - Complete the Department of Education annual Campus Safety and Security Survey on behalf of St. Bonaventure University. Any University department that receives the survey directly from DOE should promptly forward it to the Clery Compliance Officer for completion.
 - Develop mechanisms used to provide mandatory training for all CSAs.
 - Chair the University's Clery Compliance Committee.
 - Oversee the maintenance of Clery Daily Crime and Fire Logs.
 - Determine, on a case-by-case basis, after a collaborative discussion with the Vice President for Student Affairs, and various campus managers, depending on who is available at the time of the incident, whether and when to issue Timely Warnings through the SBU campus notification system to inform the affected campus community about Clery Act crimes which are alleged to have occurred on the University's Clery Act geography. Collaboration as described in the preceding sentence shall not prevent issuance of a Timely Warning as soon as all pertinent information is available within the speed required by the Clery Act.
 - Determine, on a case-by-case basis, whether and when to issue Emergency Notifications through the SBU campus notification system to the affected campus community. An Emergency Notification is issued if a situation poses a confirmed significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees on campus.
 - Implement Missing Student Notifications as outlined in the Missing Student Policy.

5. Office of Safety & Security shall:

- Monitor the security of and access to campus facilities, including on-campus residences via the following:
 - Campus academic and administrative security and access controls include adherence to building hours (including classroom, administrative, and library buildings) set by the Office of Safety & Security.
 - Campus residential facilities security and access controls include:
 - Access to residential facilities is restricted to residents, their guests, and other approved members of the University community. Residents gain entry by use of assigned key or key cards in the card access readers 24 hours a day.
 - Residents are cautioned against permitting strangers to enter the buildings and are urged to require individuals seeking entry to use their assigned key or key cards.
 - Safety & Security officers conduct security patrols in and around common areas of the residential facilities on a regular basis.
- Safety & Security officers will patrol campus buildings and grounds regularly and, if officers notice any conditions during their regular patrols that may pose a safety or security issue, they will report such conditions to the appropriate campus office for correction. The Office of Safety & Security will coordinate with campus Facilities Operations to address security considerations in the maintenance of campus facilities, including but not limited to the following:
 - Lighting, particularly exterior lighting
 - Locks, particularly exterior doors and locking hardware
 - Security equipment
 - Emergency telephones

Members of the University community are also encouraged to report issues to Facilities Operations.

- Safety & Security officers will conduct safety inspections of facilities including, but not limited to: high hazard maintenance areas, construction sites, food service areas, AEDs, etc.

6. Campus Security Authorities (CSAs) shall:

- Review, become familiar with, and, if requested by the University, acknowledge in writing receipt of the University's Campus Security Authority (CSA) Policy available at [Campus Security Authority](#).
- CSAs will complete annual mandatory training. Online training is available, as well as in-person training sessions as requested.
- Report to the Office of Safety & Security alleged crimes that they witness or are reported to them in good faith occurring on the University's Clery Act geography. CSAs are responsible for reporting allegations of Clery Act crimes that are reported to them in their capacity as a CSA. A crime is considered to have been reported when it is brought to the attention of a CSA by a victim, witness, other third party or even the offender. It does not matter if the individual(s) who are involved in the crime, or are reporting the crime, are associated with the University. (CSAs are not responsible for reporting incidents that they overhear students talking about in a hallway conversation; that a classmate or student mentions during an in-class discussion; that a victim mentions during a speech, workshop, or any other form of group presentation; or that the CSA otherwise learns about in an indirect manner).
- A CSA must file a report with the Office of Safety & Security immediately upon becoming aware of information that indicates that an actual or alleged Clery Act crime is occurring or may have occurred on the University's Clery Act geography. The University has a responsibility to issue a timely warning to notify the campus community about any reported crimes which pose a serious or ongoing threat to the community, to immediately issue an emergency notification when there is a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus, and to note all reported crimes (with limited exceptions) in the daily crime log within two business days after they are reported to a CSA. As such, CSAs are obligated to report crimes immediately to Safety & Security in person at Robinson Hall or at **716.375.2525**.

- CSA must also complete a [CSA Report Form](#) online, even when a verbal report has been made to the Office of Safety & Security.
- CSAs will complete an audit form that will be provided to them at least annually by the Clery Compliance Officer. The form will request each CSA to verify that all known crimes have been reported or that the CSA has no incidents to report for that reporting period.
- CSAs who fail to report crimes they are aware of or who fail to complete the audit verification form referenced above are subject to appropriate disciplinary action under the Code of Conduct, Staff Handbook or Faculty Handbook, as applicable.

7. Associate Dean for Student Life shall:

- Work with students to promote adherence to the Student Code of Conduct.
- Annually provide all conduct referral data to the Clery Act Compliance Officer.

8. Human Resources Office shall:

- Notify via e-mail all current employees of the availability of the Annual Security and Fire Safety Report, providing: (i) a statement of the report's availability; (ii) a list and brief description of the information contained in the report; (iii) the exact URL (a direct link) for the website at which the report is available; and (iv) a statement that a paper copy of the Annual and Fire Safety Security Report is available without fee upon request, and how to obtain a copy. Requests may be made in writing (including email), by phone, or in person.
- Provide electronic notice of availability of the Annual Report to all current employees and prospective employees on the "apply" to the University. The statement shall read "The Annual Security and Fire Safety Report, containing policy statements, crime and fire statistics for St. Bonaventure University, is available on-line @ [Annual Campus Security and Fire Safety Report](#). You may also request a physical copy by emailing gsegrue@sbu.edu."

9. Admissions Office shall:

- Provide electronic notice of availability of the Annual Security Report to all prospective students on the "apply" to the University. The statement shall read "The Annual Security and Fire Safety Report, containing policy statements, crime and fire statistics for St. Bonaventure University, is available on-line @ [Annual Campus Security and Fire Safety Report](#). You may also request a physical copy by emailing gsegrue@sbu.edu."

Additional Resources:

- 1) Questions should be directed to the St. Bonaventure University Clery Compliance Officer, Gary Segrue, *Associate Dean for Campus Safety*, at 716.375.2526 or [@gsegrue@sbu.edu](mailto:gsegrue@sbu.edu).
- 2) Sign up for Emergency Notifications and Timely Warnings: [Register](#) and provide your contact information.
- 3) Annual Security and Fire Safety Report: [Annual Report](#)

Definitions:

Annual Security and Fire Safety Report ("Annual Report"): Annual report required by 34 CFR 668.41(e) setting forth statistics on a rolling three-year basis for Clery Act crimes and disciplinary referrals for drug, alcohol, and weapon offenses by type, location, and year; as well as certain campus security and safety policy statements. Also included are procedures for issuing to the campus community Crime Notices (Timely Warnings) and Emergency Alerts (Emergency Notifications); Title IX information, drug and alcohol abuse programs, missing student procedures, as well as fire safety

policies and procedures for on-campus student housing, and statistics for fires in on-campus student housing.

Campus Security Authority (CSA): Campus Security Authority is a Clery Act-specific term that encompasses four groups of individuals and organizations associated with an institution.

- A campus police department or a campus security department of an institution.
- Any individual or individuals who have responsibility for campus security but who do not constitute the campus police department or campus security 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.

CSAs are identified by the **function** of their position, through a review process, involving audits being conducted by University departments of their staff and notification of their position through notice from the Clery Compliance Officer. An **official** is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

Clery Act crimes:

- **Criminal Offenses**—Criminal Homicide, including Murder and Non-negligent Manslaughter, and Negligent Manslaughter; Sexual Assault (*also referred to as Sex Offenses*), including Rape, Fondling, Incest and Statutory Rape; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; and Arson;
- **Hate Crimes***—Any of the above-mentioned Criminal Offenses, and any incidents of Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/ Vandalism of Property, that were motivated by bias;
- **VAWA Offenses**—Any incidents of Domestic Violence, Dating Violence and Stalking. (Note that Sexual Assault is also a VAWA Offense but is included in the Criminal Offenses category for Clery Act reporting purposes); and
- **Arrests and Referrals for Disciplinary Action** for Weapons (Carrying, Possessing, Etc.) Law Violations, Drug Law Violations and Liquor Law Violations.

***Bias Categories:** Includes bias with respect to the victim's actual or perceived Race, Religion, Sexual Orientation, Gender, Gender Identity, Ethnicity, National Origin and Disability.

Clery Act Compliance Officer: An individual who works in collaboration with various offices at the University to develop, implement and oversee programs that ensure the University is in compliance with the Clery Act and associated regulations at all University locations.

Clery Act geography: For the purposes of collecting statistics for submission to the U.S. Department of Education and for inclusion into the Annual Security Report (ASR), Clery Act geography includes buildings and property that are part of the university's campus(s), which include a subset of on-campus student housing where applicable, the University's non-campus buildings and property, and the public property within or immediately adjacent to and accessible from the campus.

- **On-Campus** - (1) 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 (2) Any building or property that is within or reasonably contiguous to the area identified in paragraph (1), 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). **NOTE:** *Statistics for the University's student housing facilities are recorded and included in both the all on-campus category and the on-campus residential only category.*

- **Non-Campus Building or Property** - (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) 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.
- **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. The crime statistics do not include crimes that occur in privately owned homes or businesses within or adjacent to the campus boundaries.

Daily Crime Log: The required Federal Clery Crime log maintained by SBU of all alleged criminal incidents that occur within the University's Clery Act geography or otherwise within the patrol jurisdiction of the Office of Safety & Security and which are reported, and which must be made available for public inspection.

Emergency Notification: An alert to the campus community, or segment of the campus community, of a significant emergency or dangerous situation that involves and immediate threat to the health or safety of students and employees on campus, and is currently occurring on the campus or immediately threatening the campus. An emergency notification may apply to both criminal and non-criminal incidents and can include but is not limited to: weather or natural disaster events, public health emergencies, hazardous material spills or gas leaks, civil unrest or rioting, armed intruders, bomb threats or terrorist incidents.

Fire Log: A log maintained by the Clery Compliance Officer of any report to a campus official of a fire occurring in on-campus student housing, and which must be made available for public inspection.

Missing Student Notification: A notification, following a determination by the Clery Act Compliance Officer that a student has been missing, issued to a student's designated confidential contact, parent or legal guardian, and the local law enforcement agency with jurisdiction.

Timely Warning: An alert to the campus regarding a Clery Act crime that occurred in the University Clery Act geography and was reported to campus security authorities (CSA) or local police, and is determined by the University to represent a serious or continuing threat to students or employees. These warnings are required to be issued in a manner that is timely and are intended to aid in the prevention of similar crimes. The purpose of a Timely Warning is to enable individuals to protect themselves. A Timely Warning is required to be issued as soon as all pertinent information is available to share and should include all information that would promote safety and aid in the prevention of similar crimes.