



## Campus Security Authorities

The following provides information on what makes an individual a Campus Security Authority, and his/her responsibilities under the Clery Act. It also includes a Q & A to help provide further clarification.

### Introduction

The Federal law known as the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*, better known as the Clery Act, was enacted to help create safer university communities throughout the nation. The overall intent of the Clery Act is to encourage the reporting and collection of accurate campus crime data, to promote crime awareness and to enhance campus safety. As part of the requirements, institutions must set up a system of ensuring accurate and timely crime reporting through the use of Campus Security Authorities (CSAs). As part of the Clery Act mandates, certain categories of crimes, arrests and referrals occurring at specific locations (on or adjacent to University property) must be reported through an [Annual Campus Crime and Fire Safety Security Report](#), which must be published by October 1st of each year and made available to the campus community. These crime statistics must also be submitted to the U.S. Department of Education for website publication by the same date.

Another key requirement of the Clery Act is to issue safety alerts, or timely warnings, to the campus community regarding crimes considered to be a serious or a continuing threat to University community members. In order to meet this requirement, incidents must be adequately reported so that alerts can be issued when determined to be necessary.

Questions about the role and responsibilities of CSAs, or the Clery Act in general, should be directed to the University's Clery Compliance Committee chaired by Vice President of Enrollment Management, Dr. Claude Lusk. His office can be reached at 806-291-3436 or at: [lara.boone@wbu.edu](mailto:lara.boone@wbu.edu).

### Defining Campus Security Authorities

The Clery Act identifies certain categories of University employees that must be considered "Campus Security Authorities," and as a result, have a federally mandated responsibility to forward reports of any incidents of crime that are reported to them. Specifically, the Act defines a CSA as "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." Examples would be a dean or director of students who oversees student housing, a student center, or student extra-curricular activities and has significant responsibility for student and campus activities, or a director of athletics, a team coach, and/or a faculty advisor to a student group, as they also have significant responsibility for student and campus activities. Unless an advisor to a group, a single teaching faculty member is unlikely to have significant responsibility for student and campus activities, as would any clerical staff.

### CSA Crime Reporting Obligations

A Clery Act crime is considered "reported" when it is brought to the attention of a CSA, University Police or local law enforcement personnel by a victim, witness, other third party or even the offender. The crime reporting party need not be University affiliated. In addition, the report does not have to lead to involvement by law enforcement.

While CSAs are only obligated to report Clery Act qualifying crimes that are reported to them which occurred on Clery reportable locations, CSAs are encouraged to report all crimes reported to them to University Police.

If a CSA receives Clery Act qualifying crime information and believes it was provided "in good faith," meaning that there is reasonable basis for believing that the information is not rumor or hearsay, then, the crime is Clery



Act reportable. What must be forwarded, therefore, are reports of alleged criminal incidents; there does not have to be absolute proof.

CSAs have an important role in complying with the Clery Act. Timely reporting of crimes by CSAs allows the University the opportunity to review whether or not an emergency alert or timely warning should be issued, and it assists in maintaining and providing accurate crime data.

### **CSA Response to Reported Crimes**

Regardless of your status (CSA or non-CSA), all campus community members are encouraged to promptly report all criminal incidents and other public safety related issues to the WBU Police.

1. When a crime is reported and involves an emergency situation, the CSA should always first handle the emergency to the extent possible and immediately call 911 or University Police at 806-774-4225.
2. If it is not an emergency, the CSA should ask the individual reporting the crime if they would like to report the incident to University Police. If they do, then the CSA should coordinate reporting and contact University Police via phone at 806-774-4225 or in person at the Campus Police Station, 2002 West 8th Street. If the reporting party does not want the police involved, the CSA must complete a [CSA Crime Report Form](#).
3. The CSA should explain that they are a federally mandated crime reporter and are required to submit a report for statistical purposes, but that the crime report can be submitted without identifying the reporting party and/or victim, if the reporting party would like to remain anonymous. CSAs are encouraged to use the following statement when talking with the reporting party:

*"As part of my position on campus, I am a federally mandated crime reporter for the University. I am required to report of this incident to the University's Clery Compliance Committee for data gathering. If you request confidentiality, my report will not include your name, or that of any other involved individuals. My report will contain only the information you provide. Do you have any questions? Would you like to help me fill it out?"*

4. If the reporting party is a student victim of a sex offense and University Police are not involved, the student shall be encouraged to contact the University's Title IX Administrator, Dr. Justin Lawrence and/or University counseling and health care services. Dr. Lawrence can be reached by phone at 806-291-1173 and by email at [lawrencej@wbu.edu](mailto:lawrencej@wbu.edu)
5. If the CSA has firsthand knowledge/confirmation that the reporting party or someone else has already filed a police report with University Police, or has placed the information into a system that ensures University Police will be informed, then the CSA is not obligated to complete and submit a [CSA Crime Report Form](#). However, if the reporting party says they will file a report with University Police, but the CSA has no firsthand knowledge/confirmation that the report was filed, then the CSA must complete and submit a crime report form. **When in doubt, the reporting form should be completed and submitted.**
6. CSAs should not investigate a crime reported to them or attempt to determine whether in fact a crime took place. CSAs should simply report the crime on a timely basis to University Police or the Accreditation/Compliance Manager; timeliness is essential, as the incident may warrant a University issued timely warning.



## **Frequently Asked Questions and Their Answers**

### **What makes someone a Campus Security Authority (CSA)?**

The Act itself defines the following four categories of CSAs:

1. University Police Department: Sworn personnel and department administrators.
2. Non-police people or offices responsible for campus security: Community service officers, campus contract security personnel, parking enforcement staff, personnel providing access control and/or security at campus facilities, athletic events or other special events, residential community assistants and other similar positions.
3. Officials with significant responsibility for student and campus activities: 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 University.
4. 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 (see [Annual Campus Crime and Fire Safety Report](#)).

To determine which individuals are CSAs, one must consider job functions that involve relationships with students, overseen by officials (not support staff). If someone has significant responsibility for student and campus activities, then they are a CSA. Some examples in this category include, but are not limited to:

- Academic deans;
- Student affairs/residential life officials;
- Coordinator of Greek affairs (or related positions);
- Athletic administrators, including directors, assistant directors and coaches;
- Student activities coordinators and staff;
- Student judicial officials;
- Faculty and staff advisors to student organizations;
- Student peer education advisors.

### **Who is not a CSA?**

Individuals that do not deal with students outside of a normal classroom or business setting are not considered CSAs. The following non-CSA positions and functions include, but are not limited to:

- Faculty member without responsibility for student/campus activity beyond the classroom;
- Physicians/nurses in the University Health Center who only provide care for students;
- Clerical or administrative support staff;
- Cafeteria/facilities maintenance/information technology staff.

### **What do I have to do?**

Your basic responsibility is to be a contact person for students who feel more comfortable reporting an incident to you than to the police. You should encourage the reporting party to contact the police, and help them upon request. You must forward the report to the Accreditation/Compliance Manager. You do not have to be an expert on Clery crimes or locations; simply report the information to the best of your understanding.

### **What crimes do I need to report?**

You should report any crime that is reported to you. You are required to report the following crimes:

- Murder/ Non-negligent Manslaughter;
- Negligent Manslaughter;
- Sexual Assault – Forcible;



- Sexual Assault – Non-forcible;
- Robbery;
- Aggravated Assault;
- Burglary;
- Motor Vehicle Theft;
- Arson;
- Dating Violence;
- Domestic Violence;
- Stalking;
- Specifically, if any of the above were Hate Crimes, and if a Hate Crime, the following additional crimes:
  - Larceny-Theft;
  - Simple Assault;
  - Intimidation;
  - Destruction/Damage/Vandalism of Property.
- Weapons Law Violations;
- Drug Law Violations;
- Alcohol Law Violations.

The above-noted crimes only need to be reported if they occurred at the following locations:

- On Campus, including Student Housing;
- Off campus but on WBU Affiliated Property;
- On public property going through/directly adjacent to campus.

Please be aware that you are not expected (or required) to be absolutely correct regarding the specific crime designation or the reportable location; **if you have any doubts, just report what you think it is and provide as much information as possible**, and the Accreditation/Compliance Manager will determine if it must be reported as part of the Clery statistics and how it should be classified.

### **What's the difference between reporting a crime to the WBU Police Department and reporting it to the Clery Compliance Committee (CCM)?**

A crime is reported to University Police when the report is made directly to the Department, either in person or through some form of communication, and an official report is taken, or when the report is entered into a University tracking system that ensures the report is forwarded to the WBU Police Department. A crime is reported to the CCM when an electronic [CSA Crime Report Form](#) is completed, as this form goes directly to the CCM, strictly for statistical purposes. All crimes should be reported directly to University Police, unless the reporting party is adamant that they do not want any law enforcement notification or involvement.

### **How do I determine when a crime occurs on “public property” and should be reported, and when it shouldn't?**

The Clery definition of public property includes *“all public property, including thoroughfares, streets, sidewalks, and parking facilities that is within the campus, or immediately adjacent to and accessible from campus”*. Also, Clery states that as general rule for campus property bounded by public property, you need to include the sidewalk in front of the campus property, the public street, and the public sidewalk across from the campus property (sidewalk/street/sidewalk). If a crime occurs on any public street or sidewalk that goes through the campus, it must be reported. If a crime occurs on the public sidewalk across from a campus building, it must be reported. One distinction that is made concerning the division of campus property and public property is when there is a physical barrier between campus and public property such as a wall or fence that cannot easily be climbed over. If a crime occurs on the public side of a 6' fence that is dividing public from campus property, it



would *not* have to be reported. As with any incident, if you are not sure about reporting, please contact the Chief of Police for clarification, or simply complete the report. Interim Chief Mike Allen can be contacted by phone at 806-291-3492 or by email at [mike.allen@wbu.edu](mailto:mike.allen@wbu.edu)

### **Why is making me responsible for reporting the crime necessary?**

The intent of including non-law enforcement personnel such as CSAs is to acknowledge that many individuals, students in particular, are hesitant about reporting crimes to the police; they may be more inclined to report incidents to other campus affiliated individuals with which they feel more comfortable. By having this layer, it improves the ability to obtain more complete information concerning crimes on campus. Keeping accurate crime statistics will help WBU know what prevention and safety awareness programs are needed to help keep the campus safe. It also allows the WBU Police Department to best use its resources for crime control and prevention. In addition, if WBU is found to be non-compliant with any aspect of the Clery law, the University can be fined and risk losing federal funding. The Clery Act specifically addresses Campus Security Authorities and their roles. Wayland Baptist University's efforts to be in compliance with the Clery Act may include periodic audits from the Department of Education. Audits require the maintenance of documentation in order to verify that the necessary actions are taking place.

### **How do I report incidents to the police department for Clery purposes?**

Any incidents that are reported to you should be relayed to the WBU Police Department as soon as possible, either through a call, email or direct contact. However, some incidents still may not get reported (i.e. it was felt to be too minor to report at the time or the CSA just didn't get to it). In January of every year, a request for crime reports will be sent to you. At this time, you can complete a [CSA Crime Report Form](#) to provide information on incidents that were reported to you in the previous calendar year. If you have reported incidents as they occurred, your obligation to report is complete. You will simply need to check the appropriate boxes on the [CSA Crime Report Form](#), as a way to provide verification that all reports were handled as appropriate.

### **How do I handle a serious crime, such as sexual assault?**

First of all, you need to make sure that you are there to support the victim. You must let the victim know that you will help them contact the WBU Police if they so choose. You need to let them know that they should get checked out at a health care facility, and that they should not bathe or change clothes or do any cleaning up prior to receiving medical assistance in order to preserve evidence. You need to provide information on where they can go for medical assistance and the location of victim's services. The victim should be encouraged to report the incident to the UNL Police. However, they should not be pushed. They should also be encouraged to receive help from victim's services or some other form of counseling service, and to contact University officials so that they can take the appropriate action. Even if the victim does not want to contact the police or press charges, the incident must still be reported by you through a [CSA Crime Report Form](#).

### **Do I need to look into an incident and investigate to see if it actually took place?**

CSAs are *not* responsible for determining if a crime took place; they must simply report what was told to them. CSAs are also not responsible for contacting or trying to apprehend the alleged perpetrators of a crime; this is the WBU Police Department's responsibility.

### **What if I am unsure if an incident is a crime or if it should be reported under Clery?**

The CCM will always provide consultation, so feel free to call if you are unsure whether a reportable crime occurred. You may contact the office of the Vice President of Enrollment Management at 806-291-3436, the Chief of Police at 806-291-3492, the office of the Executive Director of Student Services at 806-291-3750, or the office of the Title IX Administrator at 806-291-1173. Even if anonymity is requested by the victim, you are still required to report it for Clery purposes, but do not need to include names of the victim, witnesses or suspect. The CCM will determine if it is a Clery reportable crime. **It is better to complete a report when unsure than do nothing.**



**If the University Police Department is not going to investigate every reported crime, what is the purpose of reporting the incidents, outside of the Clery mandate?**

Many crimes do not get reported to the police, per the desire of the victims. By collecting data from other sources, we are getting a more accurate number of crimes that occur on or near campus. This is a resource for the campus community and potential students/employees to use to make informed decisions regarding their safety.

**Are there any positions that meet the definition of a CSA, but are exempt from the reporting requirement?**

Yes, certain individuals who would normally be CSAs are exempt from disclosing information when acting within the scope of their license or certificate. These would be a:

Pastoral counselor: A person, who is associated with a religious order or denomination, is recognized by that religious order as someone who provides confidential counseling, **and** is functioning within the scope of that recognition as a pastoral counselor.

Professional counselor: A person whose official responsibility includes providing mental health counseling to members of the institutions community and who is functioning within the scope of his or her license or certification. This definition applies even to professional counselors who are not employees of the institution but are under contract to provide counseling at the institution.

**What happens if I do not forward/report criminal incidents?**

You run the risk of getting yourself and the University into serious trouble. The United States Department of Education is charged with enforcing the Jeanne Clery Act and may level civil penalties against institutions of higher education up to \$35,000 *per violation*, or may suspend them from participating in federal student financial aid programs.

**What happens after the CCM receives the crime reporting forms from a CSA?**

They will review each report and ensure that the incident has not already been reported and make a determination if the incident warrants a timely warning or emergency notification to the University community. They will verify that each incident is Clery reportable and classify the incident in the proper crime and geographical categories. The statistics will be maintained for annual submission to the Department of Education for publication on their website and inclusion in the University's [Annual Campus Crime and Fire Safety Report](#).