It's January in a New Clery Year…What Should I be Doing?

1st Annual Mid-Year Conference
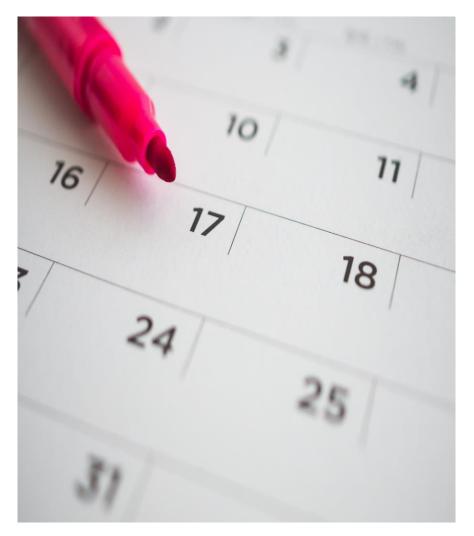
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Clery Calendar vs Clery Season

- Strategically manage your Clery program throughout the year
  - Develop a Clery calendar of tasks and objectives
- Establish a Clery committee to assist with compliance efforts
  - Utilize subgroups or working groups comprised of key offices and individuals
- Maintain a records management system that supports compliance efforts
- Develop a system of internal controls to ensure administrative capability

668.16 Standards of administrative capability.

The Secretary considers an institution to have that administrative capability if the institution—

- "establishes and maintains records required under this part and the individual Title IV, HEA program regulations" -- 34 C.F.R. 668.16(d)(1)

- "has written procedures for or written information indicating the responsibilities for the various offices with respect to...the preparation and submission of reports to the Secretary [of Education]" -- 34 C.F.R. 668.16(b)(4)

Don't Take Our Word For It...

- According to ED (2019), an adequate Clery compliance program will include:

  - <u>Detailed</u> procedures for preparing an accurate and complete ASR and distributing the report

  - <u>Substantive</u> processes for identifying and classifying the institution's "Clery Geography"

  - <u>Comprehensive</u> procedures for identifying CSAs and notifying them of their responsibilities

  - <u>Reliable</u> processes for requesting and collecting information about Clery-reportable crimes from institutional CSAs and local law enforcement agencies

  - <u>Consistent</u> procedures for properly responding to ED's annual crime statistics survey

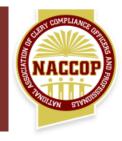# Clery Statistics – Collecting, Classifying, and Counting

- Conduct an internal review of reported crimes

  - Review reports and audit trail

  - Reconcile statistics with preferred receivers of reports

    - Student conduct, Title IX, Human Resources, etc.

- Send letters to LLE and request crime statistics

  - All local law enforcement and State agencies

  - Request statistics from LLE agencies with jurisdiction related to short stay-away trips and repeated use locations

- Engage CSAs with a request for crime reports – (January/February and again before Commencement)

  - Send a written request to CSAs and follow-up as needed

Prevention, Education, & Awareness (First Quarter)

- Collect and reconcile all VAWA education program activities/initiatives
  - primary prevention and awareness programming
  - ongoing prevention and awareness campaigns

- Develop a list of all institutional crime prevention and security awareness programming

- Engage campus partners in programming documentation
  - Cast a wide net and collect institutional data beyond the usual suspects
  - Include campus police/public safety, residence life, student affairs, health and counseling, student groups/organizations, athletics, human resources, Title IX, violence prevention office, etc.

Clery Geography

- Finalize Clery Geography list —update and reconcile as needed
- Finalize tracking list for all short stay-away trips and repeated use locations
- Prepare list and map for current calendar year
    - Engage real estate contact, student activities/organization office, residence life, registrar/provost, study abroad
    - Obtain and review all written agreements related to the control of space
    - Initiate a walking/driving tour of campus to review and update map as necessary
    - Use map and list to update records management system as necessary – ensure location drop down menu matches identified Clery Geography
        - Campus police/public safety, student conduct, Title IX, Human Resources records management systems (as applicable)

Campus Security Authorities

- Review CSA list and update accordingly
  - Human resources, athletics, study abroad (off-campus trip leaders), student activities/organizations, student conduct and Title IX, etc.

- Notify and train CSAs as appropriate

- Solicit support of department heads/division leaders in collection of CSA reports

- Review CSA training programs and platforms and tracking systems – update as appropriate
  - General CSA training vs Super CSA training

Policies, Procedures & Practices

- Review and update Clery-related departmental/institutional policies
  - Coordinate efforts with key departments/offices
    - Campus police/public safety, residence life, human resources, student life, student conduct, Title IX, compliance office, General counsel, etc.
- Develop broader policies and procedures that support current ASR/AFSR policy statements
- Assess local/State jurisdictional laws and ordinances for any changes
  - Liquor, Weapons and Drug Law Violations
  - Incest/Statutory Rape
  - VAWA processes related to protection from abuse orders and any impact to Domestic Violence laws
  - Confirm with LLE, DA and courts
- Review and update any MOUs with LLE or contracts with external agencies for service – (security, victim support services, health and counseling, etc.)

Annual Security Report Development & Distribution

- Review existing ASR/AFSR and verify all policy statements and required components are included
  - Update policy statements and statistics as appropriate
  - Coordinate with key offices/departments
  - Make sure all VAWA required policy statements are addressed for all relevant processes
  - Not (likely) just a cut and paste of sexual misconduct policy
- Develop an editing team before final completion – ensure statements reflect actual policies, procedures, and practices
- Make sure distribution methods will ensure campus-wide notice of availability
- Coordinate notice of availability with Human Resources and Admissions
- Distribute report by October 1st
- Report statistics to ED via the Campus Safety and Security Survey

Key Institutional Policies of Focus

ASR TW/EN	VAWA	Emergency Response/ Evacuation	ASR Development/ Distribution
Crime Stats Collection/ Disclosure	CSA Management	Clery Geography Management	DCL Management

Emergency Response & Operations

- Emergency response and evacuation protocol review

- Begin planning for Clery-compliant test
  - Establish a test that includes both a drill and exercise
  - Ensure campus-wide evacuation is addressed as part of the test
  - Invite key personnel from across the institution
  - Invite emergency response personnel from local jurisdiction

- Develop follow through activities to assess and evaluate plans and capabilities

- Complete an after-action report for documentation purposes (best practice)

- Campus-wide distribution of emergency response and evacuation procedures (summary) in conjunction with at least one annual test

Fire Safety Disclosures

- Review and update OCSHF master list – names and addresses

- Review and update OCSHF fire alarm systems – detection, suppression, reporting

- Review and documentation of future plans for improvement

- Assessment of building evacuation protocols

- Documentation of all fire drills and fire safety programming

Fire Statistics

- Reconcile OCSHF fire statistics
  - All reported residential facility fires and their cause
  - Assess fire damage – insurance/risk management assessments
  - Account for fire injuries and deaths
    - Determine if anyone injured has died within one year of the incident
- Reconcile in partnership with campus police/public safety, fire marshal's office, EHS, facilities management, student conduct, residence life, human resources
- Triangulate Fire Statistics, Fire Log, Crime Statistics, and Crime Log (Arson)

Annual Fire Safety Report

✓ Review existing AFSR and verify all policy statements and required components are included

🏫 Make sure distribution methods will ensure campus-wide notice of availability

📄 Distribute report by October 1st

📊 Report fire statistics to ED via the CSSDACT

DFSCA Compliance

- DAAPP distribution
  - All students and employees, in writing
  - Provisions for subsequent enrollees or hires
- DAAPP Assessment
  - Review and document all substance abuse education programming
  - Review standards of conduct and disciplinary sanctions administered
  - Review counseling, treatment and rehabilitation resources
  - Determine if local, state, or Federal sanctions have changed
- Is it a Biennial Review year?
  - Evaluate and assess DAAPP's effectiveness
    - Programming, disciplinary sanctions, consistent enforcement of sanctions, violations and fatalities

Records Retention and Destruction

- Conduct an internal self-audit of all Clery files/records
  - Ensure files include documentation to support Clery compliance efforts
- Review records destruction protocols
  - Canvas other offices and ensure timely and accurate destruction
  - Maintain a formal process for cycling records through retention protocols (7 calendar year retention)
- Maintain copies of the institution's DAAPP and Biennial Review
  - Three calendar year retention requirement
  - Maintain the two most current Biennial Reviews at all times

Records Retention

Records to be kept, but not limited to:

- Copies of crime reports

- Daily Crime Logs

- Records for arrests and referrals

- Timely warning and emergency notification reports

- Letters requesting LLE statistics

- Letters to and from CSAs

- Correspondence with ED

- Copies of notices of availability of the ASR and AFSR

- Institutional/departmental policies and procedures supporting Clery compliance efforts

- Clery maps/property lists

QUESTIONS?

Session Evaluation

1. Select the "Click Here to Evaluate" button in "My Schedule"

We appreciate your feedback. Please take some time to evaluate the sessions.

2. Or, visit https://www.surveymonkey.com/r/Y2RCL52 to evaluate this session.