Evaluating Clery Act Responsibilities

Presented by Greg Buchanan and Tessa Melendez
University of California, San Diego
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Clery Act Webinar Agenda

- Background
- Consequences of Non-Compliance
- AMAS Review of Clery Act Responsibilities
  - Project Objectives and Scope
  - Risk Assessment
  - Audit Program
  - Conclusion
  - Observations and Management Corrective Actions
- Q&A
Background

- 1986, Jeanne Clery murdered at Lehigh University
- 1990, Crime Awareness and Campus Security Act
- Late 1990s, renamed the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)
- Dept. of Education administers regulations and conducts compliance reviews
Background - Requirements

- Timely Warnings
- Emergency Response, Notification, and Testing Policies
- Daily Crime Log
- Annual Security Report
- Annual Fire Safety Report
- Missing Student Policies
- Online Submission
- New VAWA requirements, effective 2014
Consequences of Non-Compliance

- Suspension of federal aid
- Negative publicity
- Damage to the University’s reputation
- Fines of $35,000 per violation
AMAS Review of Clery Act Responsibilities

**Objective:** To evaluate campus policies and procedures for complying with the Clery Act, processes for compiling and reporting crime statistics, and controls for ensuring the accuracy and completeness of campus and health sciences crime information as required by the Clery Act.

**Scope:** The scope includes organizational roles and responsibilities, data collection practices, lines of communication, corresponding training initiatives, policy definitions, inclusion of CSA responsibilities in job descriptions, and timeliness of campus alerts.
Risk Assessment

Reporting
- Geography
- CSAs
- Local law enforcement statistics
- Missing student notification procedures
- ASR and AFSR
- DOE submission

Timely Warning & Emergency Notification
- Emergency notification and evacuation procedures
- Timely warnings

Daily Log
- Crimes
- Fires
Audit Program: Reporting

- Clery Geography
  - ASR crimes vs. Clery Coordinator listing
  - Clery Coordinator listing vs. Real Estate listing

- CSAs
  - Clery Coordinator listing
  - Clery Training

- Missing Student Notification
  - ASR policy and procedures statement
Audit Program: Reporting

  - Policy and procedures statements
  - Crimes – categorization, documentation, duplication
  - Student and employee notifications
  - 7-year document retention
  - Statistics reported to the Department of Education
Audit Program: Timely Notification

- **Timely Warning**
  - Required content
  - Agrees with ASR
  - Decision-making process
  - Notification methods

- **Emergency Notification**
  - Required content
  - Agrees with ASR
  - Annual emergency response test and documentation
  - Notification methods
Audit Program: Daily Crime & Fire Log

- Required elements
- ASR and ASFR vs. crime log
Conclusion:

UCSD’s policies, procedures, and practices for ensuring compliance with the Clery Act were historically effective, but should be enhanced in light of increased institutional risk.
## Observations

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<th>A.</th>
<th>Staff Resources</th>
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<td>The resources and scope of authority of the Clery Act Coordinator could be enhanced to ensure that all of the numerous requirements of the Clery Act are effectively addressed.</td>
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### Corrective Action

| A.1 | The Chief Ethics & Compliance Officer will request at least one new FTE position that will be fully dedicated to Clery Act responsibilities. The position will include the requisite authority to enforce and ensure campus-wide compliance. |
| A.2 | UCSD PD will maintain at least one 0.5 FTE to perform responsibilities associated with Clery Act records management, daily crime log preparation, and crime statistic classification. |
### Observations

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<th>B.</th>
<th>Campus Security Authorities</th>
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<td>While the Clery Coordinator made good faith efforts to identify and train all CSAs as required by the Clery Act, the overall process to identify, notify, and train CSAs could be improved.</td>
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#### Corrective Action

| B.1 | The Clery Act Coordinator will develop a process for identifying CSAs. A listing of CSA positions will be maintained and updated annually. |
| B.2 | CSAs will be notified annually of their mandated obligation to report any Clery crime that is reported to them. |
| B.3 | The Clery Act Coordinator will coordinate with Vice Chancellors (VC), VC Designates, and Human Resources (campus and Health Sciences) to update job cards for CSAs to reflect Clery Act responsibilities. |
| B.4 | CSAs will be required to complete training on an annual basis, and to demonstrate knowledge of their responsibilities under the Clery Act upon completion. |
## Observations

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<th>C.</th>
<th>Clery Geography</th>
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<td>The process to identify non-campus locations that meet the definition of Clery geography could be improved.</td>
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### Corrective Action

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<td>C.1</td>
<td>The Clery Act Coordinator will develop and document a process for identifying Clery geography.</td>
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<td>C.2</td>
<td>A comprehensive list of Clery geography will be created and regularly updated, paying particular attention to off-campus locations under lease agreements. The listing will be used to assess whether Clery reportable crimes occurring in non-campus space need to be included in the ASR and reported to the ED.</td>
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**Observations**

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<th>D.</th>
<th>Emergency Notifications and Timely Warnings</th>
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<td>The campus could potentially improve safety by considering additional methods to communicate immediate threats to the campus population.</td>
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**Corrective Action**

| D.1 | UCPD will continue to work with UCSD offices including EH&S, Student Affairs, Health Sciences, and SIO to identify alternative methods to communicate immediate threats to the campus population in real-time. Geographically-based software solutions will be considered to potentially enhance emergency notifications. |
Questions?