# **COLUMBUS STATE UNIVERSITY**

**Policy Name:** Clery Compliance Policy

**Policy Owner:** General Counsel/Clery Coordinator

Responsible University Office: Legal Affairs, Ethics & Compliance & CSU Police Department

**Approval Date:** August 29, 2023

Effective Date: August 29, 2023

Revised Date: May 1, 2025

Related Policies: Jeanne Clery Disclosure of Campus Security Policy and Campus Crime

Statistics Act of 1998 <u>20 USC 1092 (f)</u>; Violence Against Women Reauthorization Act of 2013 <u>42 U.S. Code § 13925</u>; <u>Missing Persons Policy</u>

## I. PURPOSE AND SCOPE

Columbus State University (CSU) is committed to maintaining a safe campus environment. In compliance with the Clery Act, CSU collects, discloses, and reports crime statistics and safety-related information to the campus community and the U.S. Department of Education annually.

## II. <u>DEFINITIONS</u>

- Annual Security and Fire Safety Report (ASFSR): A report containing crime statistics, safety
  policies, and fire incident data.
- Campus Security Authority (CSA): A Clery Act-specific term that encompasses four groups of individuals and organizations associated with an institution. A campus police or security department of an institution, any individual(s) who have responsibility for campus security but who do not constitute a campus police or 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, and 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. (See Appendix C)
- Clery Act Crimes: Crimes required by the Clery Act to be reported annually in the Annual Security Report (ASR) including criminal homicide (murder and negligent/non-negligent manslaughter), sex offenses (Rape, Fondling, Incest, Statutory Rape), robbery, aggravated assault, burglary, motor vehicle theft, arson, hate crimes (including larceny theft, simple assault, intimidation, or destruction/vandalism of property that are motivated by bias), Dating Violence, Domestic Violence, Stalking, arrest and referrals or disciplinary action for any of the following; liquor law violations, drug law violations, weapon: carrying, possessing, etc. (See Appendix B)

- Clery Act Geography: Any building or property owned or controlled by CSU (or any Direct Support Organization or Affiliated Legal Entity) within the same reasonably contiguous geographic area and used by CSU in direct support of, or in a manner related to, the institution's educational purposes.
- Emergency Notification: Immediate campus-wide alert for significant threats to safety.
- **Timely Warning:** An alert to the campus community of Clery crimes in a manner that is timely and will aid in the prevention of similar crimes. The intent of a warning regarding a criminal incident is to enable people to protect themselves. The warning should be issued as soon as pertinent information is available.

## (Full definitions provided in Appendix A)

## III. POLICY STATEMENT

Columbus State University is committed to full compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) to ensure the safety of its campus community. CSU provides accurate and timely crime and safety information, as required by law, and publishes all mandated disclosures to the campus community and the U.S. Department of Education by October 1st of each year.

To meet these obligations, Columbus State University will:

- 1. **TIMELY WARNINGS:** Issue timely warnings to alert the campus community of Clery Act crimes that pose a serious or continuing threat to students and employees. These warnings will be disseminated as soon as pertinent information is available, allowing recipients to take precautions and prevent further incidents. (See Appendix D)
- 2. **EMERGENCY NOTIFICATIONS:** Issue emergency notifications to inform the campus community of any significant emergency or dangerous situation involving an immediate threat to health or safety occurring on campus. *(See Appendix D)*
- 3. **RECORD RETENTION:** Retain relevant records for at least seven (7) years, including:
  - Reports of Clery crimes made to CSU Police, other Campus Security Authorities (CSAs), and local law enforcement.
  - Timely warning determinations and copies of any issued warnings.
  - Documentation of all crime prevention and educational programs, including those addressing security procedures, substance abuse, and sexual violence.
  - Daily crime and fire log entries, which will be available for public inspection within three business days of request.
  - Records related to sexual misconduct investigations, including findings, disciplinary sanctions, appeals, resolutions, and supportive measures provided.
- 4. **CRIME REPORTING:** CSU Police will:
  - Forward incident reports involving students to the Office of the Dean of Students for review.
  - Make arrests and coordinate with local law enforcement when necessary.
- 5. DAILY CRIME LOG: Maintain a publicly accessible daily crime log of all reported crimes.

- 6. **DAILY FIRE LOG:** Maintain a publicly accessible daily fire log of all fire-related incidents in campus housing.
- 7. **CRIME DATA DISCLOSURE:** Compile and disclose statistics for all Clery Act crimes reported on:
  - CSU's campuses,
  - Public areas adjacent to or running through campus,
  - Remote classroom facilities, and
  - Certain non-campus facilities.
- 8. **CRIME DATA COLLECTION:** Annually collect reports of Clery Act crimes from CSU Police, local law enforcement, university officials, and other CSAs.
- 9. **ANNUAL SECURITY AND FIRE SAFETY Report (ASFSR) Publication:** Prepare and publish an annual report to the Department of Education summarizing:
  - Crime statistics for the past three years,
  - University security and safety policies,
  - Hazing incidents, and
  - Fire safety data for campus housing.
- 10. **ANNUAL SECURITY AND FIRE SAFETY REPORT (ASFSR) Distribution:** Annually disclose and provide access to the ASFSR, which includes:
  - Crime and fire statistics,
  - Campus security policies, and
  - Emergency response procedures
- CAMPUS SECURITY AUTHORITY (CSA) IDENTIFICATION: Identify CSAs annually and upon the creation of new positions at CSU. All CSAs will be notified of their reporting obligations under the Clery Act.
- 12. **CSA TRAINING:** Provide mandatory annual training for all CSAs, including onboarding training for newly hired employees in CSA-designated roles.
- 13. **CLERY ACT EDUCATION AND AWARENESS:** The Clery Act Committee, in coordination with the Dean of Students, University Housing, University Police, and other relevant departments, will:
  - Develop and conduct Clery Act educational programs,
  - Promote awareness of crime and safety issues across all CSU campuses
- 14. **SEX REGISTRY:** Publish the link to the Georgia Sex Offender Registry as part of the Annual Security Report.
- 15. **SEX OFFENDER TRACKING:** Comply with the Campus Sex Crimes Prevention Act by tracking registered sex offenders enrolled, working, or volunteering at CSU.

## IV. ADMINISTRATIVE RESPONSIBILITIES

## A. Clery Act Coordinator:

- Is responsible for collecting, classifying and counting crime reports for use in preparing and publishing annual crime statistics;
- Oversees the Clery Act Committee, which is a multidisciplinary team that provides strategic vision and planning for Clery Act compliance; and
- Is responsible for notification to CSAs of their reporting obligations and training on the reporting process.

## **B.** Clery Act Committee:

 Meets on a quarterly basis to discuss vision and planning for Clery Act compliance and policy development to enhance campus safety. Members of the committee are subject matter experts from multiple departments.

## V. CRIME STATISTICS COLLECTIONS & REPORTING

Columbus State University (CSU) encourages all members of the campus community to report criminal activity to the University Police Department. The CSU Clery Compliance Committee is responsible for collecting, organizing, and reporting all required crime statistics in the Annual Security and Fire Safety Report (ASFSR) for incidents occurring on or adjacent to campus locations.

### A. Collection of Crime Statistics:

The Clery Coordinator is responsible for ensuring the accurate collection of Clery crime statistics from relevant CSU departments and local law enforcement agencies. These departments include, but are not limited to:

- Office of the Dean of Students
- Athletic Department
- University Police
- Residence Life
- Title IX Office

Clery crime statistics must be submitted to the Clery Coordinator no later than ten (10) days before the required submission deadline to the University System of Georgia (USG).

- Initial Clery crime statistics must be submitted at the beginning of each calendar year.
- A final review must take place in August before submission to the Department of Education and inclusion in the ASFSR.
- B. Counting of Crime Statistics: The Clery Coordinator shall ensure all Clery crime statistics are accurately counted, reviewed for consistency, and verified to prevent duplication errors.
- C. Classification of Crime Statistics: The Clery Coordinator shall ensure all Clery crime statistics are properly classified according to Clery Act offense categories before submission to the USG.

**D. Approval of Crime Statistics:** The Clery Coordinator shall ensure that the final annual Clery crime statistics—including collection, counting, and classification— are presented to and approved by the Clery Compliance Committee during its September meeting.

# VI. <u>IDENTIFYING & TRAINING CSAs</u>

### A. Identification of CSAs:

The Clery Coordinator will work with the Chief Human Resources Officer annually to identify CSAs:

- Employees who assume CSA responsibilities during the year will also be identified as needed.
- Affected individuals and their supervisors must receive written notification of any CSA status change.

## B. CSA Training:

All CSAs will receive mandatory training on the following:

- Roles and responsibilities of a CSA
- Clery Act geography and reporting requirements.
- Identification and definitions of Clery Act crimes
- Procedures for reporting detailed crime information to law enforcement.
- Procedures for reporting detailed crime information to campus authorities.

## VII. ALCOHOL & DRUG POLICY

#### 1. Alcohol - Columbus State University prohibits:

- Consumption, possession, or transportation of alcoholic beverages by any person under legal age; and
- Furnishing and/or distributing alcoholic beverages to any student under legal age.

# 2. Drugs - Columbus State University prohibits:

- The possession of stimulant, depressant, narcotic, or hallucinogenic drugs and other agents having potential for mental or physical abuse, except on a legal prescription.
- The bartering, exchanging, or giving away of such drugs to any person. This
  includes remnants of drug use, to include but not be limited to, seeds, leaf
  remnants, smoke, and lingering odor.
- No student shall possess items normally associated with drug use, sale, or distribution.

## 3. Education and Prevention:

• Programming is provided by multiple departments across all campuses. This is assessed during the biennial review process.

### VIII. CONFIDENTIAL REPORTING

Students may make confidential reports to campus pastoral and professional counselors. Under the 1998 amendments to 20 U.S.C. § 1092(f), these counselors:

- Are not considered Campus Security Authorities (CSAs) when acting in their professional capacity.
- Are not required to report crimes for inclusion in university crime statistics.

However, Counseling and Psychological Services staff who learn that a CSU student has been a victim of a crime may:

- o Provide information on how to report the crime to CSU Police.
- Voluntarily submit anonymous crime reports to CSU Police to aid in maintaining accurate crime statistics while protecting identities.

## IX. LAW ENFORCEMENT PARTNERSHIPS

CSU Police maintains strong relationships with local and state law enforcement agencies to:

- o Exchange information related to criminal investigations,
- Obtain assistance as needed,
- o Collaborate under Mutual Aid agreements to prevent and address crime on campus.

# X. VIOLENCE AGAINST WOMEN ACT (VAWA) COMPLIANCE

- Prohibition of Offenses: Columbus State University prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking as those terms are defined in this policy. This policy covers alleged misconduct whether or not it is alleged to have occurred on or offcampus, and whether or not it is on the basis of sex.
- Columbus State University shall each year in the Clery Act Annual Security Report (ASR) disclose, as required by 34 CFR § 668.46(k), a summary of each type (including student, faculty, and staff) of VAWA Sexual Misconduct disciplinary proceeding used by the institution. Such information will be reviewed annually to ensure that it is current and accurate prior to publication of the ASR.
- Survivor's Brochure: Columbus State University provides written notification to students and employees regarding the resources and services available and procedures related to sexual misconduct.

## a. Disciplinary Processes:

- i. Disciplinary proceedings are conducted by the departments below consistent with this policy:
  - 1. Title IX
  - 2. Student Conduct
  - 3. Human Resources
  - 4. University Police
- ii. All VAWA Sexual Misconduct proceedings will include "a prompt, fair, and impartial process from the initial investigation to the final result" as defined by 34 CFR §

668.46(k)(3)(i). This includes, but is not limited to, the following procedural safeguards for all parties:

- 1. Columbus State University will provide timely and equal access to the complainant, the respondent, and appropriate officials to any information that will be used during informal and formal disciplinary meetings and hearings.
- 2. Columbus State University will provide simultaneous notification, in writing, to both the complainant and the respondent, of:
  - a. The result of any institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking;
  - b. The institution's procedures for the respondent and complainant to appeal the result of the institutional disciplinary proceeding;
  - c. Any change to the result; and
  - d. When such results become final.
- 3. If an appeal is filed by either party Columbus State University will notify the other party in writing within 5 business days and afford them an opportunity to respond in writing within 5 business days.

### • Accommodations and Protective Measures:

- a. When the Title IX Coordinator has received information regarding an allegation of sexual misconduct, including, but not limited to, Dating Violence, Domestic Violence, sexual assault (Rape, Fondling, Incest, Statutory Rape) and Stalking, the victim will be provided with written information about support services. Support services are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without charge.
- b. Support services include existing counseling, health, mental health, victim advocacy, legal assistance, student financial aid, and other services.
- c. Accommodations may include assistance with requesting changes to academic, living, transportation, and working situations or protective measures.
- d. The University will make such accommodation or provide such protective measures if the victim requests them and if they are reasonably available. Such assistance will be provided regardless of whether the victim chooses to report the crime to University Police or local law enforcement.
- e. The University will maintain as confidential any accommodation or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.
- f. Supportive measures must be offered regardless of whether an investigation is pending or ever occur.

## • Educational Programming:

a. Programming is provided to students, faculty, and staff by multiple departments across all campuses.

# XI. <u>RETALIATION PROHIBITION</u>

Columbus State University, or an officer, employee, or agent of the institution, may not retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision in this policy.

# XII. APPENDICES

- Appendix A: Definitions of Key Clery Act Terms (Including Stop Hazing Act)
- Appendix B: List of Clery Act Crimes
- Appendix C: Campus Security Authorities
- Appendix D: Timely Warning & Emergency Notification Procedures

APPROVED: Stuart Kayfield 9021BECE669B417	
DATE:	5/1/2025   8:54 AM EDT

# APPENDIX A (Clery Definitions)

- **Complainant:** An individual who is alleged to be the victim of conduct that is prohibited by this policy. A complainant may be a student, employee, other affiliate, or unaffiliated with the institution.
- Consent: Words or actions that show a knowing and voluntary willingness to engage in
  mutually agreed-upon sexual activity. Consent cannot be gained by force, intimidation, or
  coercion, by ignoring or acting in spite of objections of another, or by taking advantage of
  the incapacitation of another, where the Respondent knows or reasonably should have
  known of such incapacitation. Minors under the age of 16 cannot legally Consent under
  Georgia law.
- **CSU Campus Community:** Students, faculty and staff, as well as contractors, vendors, visitors, and guests.
- **Daily Crime Log:** A record of all alleged criminal incidents that are reported to the University police for the required Clery geographic locations.
- **Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
  - a. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
  - b. For the purposes of this policy:
    - 1. Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
    - 2. Dating Violence does not include acts covered under the definition of Domestic Violence.
  - c. For the purposes of complying with the requirements of this policy any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
- **Domestic Violence:** A felony or misdemeanor crime of violence committed:
  - a. By a current or former spouse or intimate partner of the victim;
  - b. By a person with whom the victim shares a child in common;
  - c. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
  - d. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
  - e. By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
  - f. By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
  - g. For the purposes of complying with the requirements of this policy, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

- **Emergency Notification System:** A system by which CSU officials can timely send messages and contact members of the campus community in the event of an Emergency.
- **Fire Log:** A log that records all reported fires, including arson, in on-campus student housing facilities.
- Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- Hazing: Columbus State University is committed to education and measures which support a safe campus environment and experience for all students. Accordingly, incidents of hazing and other forms of harmful misconduct perpetrated upon any individual by another individual and/or organization shall be addressed through the University's student conduct investigative and hearing process as codified in the <u>current student</u> <u>handbook</u>.

The Stop Campus Hazing Act federal law defines hazing as: "any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that:

- a. is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in a student organization; and
- b. causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including:
  - 1. whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
  - 2. causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
  - 3. causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
  - 4. causing, coercing, or otherwise inducing another person to perform sexual acts;
  - 5. any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
  - 6. any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
  - 7. any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

The federal law defines a student organization as: "an organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) of which two or more the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution." (Note: If

the same person or persons commit more than one hazing act close together in time and place, the incident should be reported as one incident.)

- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Notice: Notification of the availability of information the University is required to disclose
  by this policy, provided to an individual on a one-to-one basis through an appropriate
  mailing or publication, including direct mailing through the U.S.P.S, campus mail, or
  electronic mail.
- Proceeding: All activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, factfinding investigations, formal or informal meetings, and hearings. Proceeding does not include communications and meetings between officials and parties concerning accommodations or protective measures to be provided to a party.
- Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the Consent of the victim.
- **Respondent:** An individual who has been reported to be the perpetrator of conduct that is prohibited by this policy. A respondent may be a student, employee, other affiliate, or unaffiliated with the institution.
- **Sexual Assault:** An offense that meets the definition of rape, fondling, incest, or statutory rape as defined in this policy.
- **Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
  - a. Fear for the person's safety or the safety of others; or
  - b. Suffer substantial emotional distress.
  - c. For the purposes of this policy:
    - 1. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
    - 2. A reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
    - 3. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
  - d. For the purposes of complying with the requirements of this policy, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
- **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of Consent.
- VAWA: Violence Against Women Reauthorization Act of 2013 amendments to the Clery Act, Public Law 113-4 Section 304.
- VAWA Sexual Misconduct: Dating violence, domestic violence, sexual assault, and stalking as defined by this policy whether or not it is alleged to have occurred on or off-campus. VAWA Sexual Misconduct need not be on the basis of sex.

# APPENDIX B (Clery Act Crimes)

### **CATEGORIES:**

Clery Act crimes are categorized into the following groups:

### 1. Criminal Offenses:

### Homicide:

- Murder & Non-Negligent Manslaughter
- Negligent Manslaughter

### Sex Offenses:

- o Rape
- Fondling
- o Incest
- Statutory Rape

# Property and Violent Crimes:

- Robbery
- Aggravated Assault
- Burglary
- o Motor Vehicle Theft
- Arson

#### 2. Hate Crimes:

A hate crime is any of the above-listed offenses or one of the following crimes, motivated by bias against a person's race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, or disability:

- Larceny-Theft
- Simple Assault
- Intimidation
- Destruction/Damage/Vandalism of Property

# 3. Violence Against Women Act (VAWA) Offenses:

- Domestic Violence
- Dating Violence
- Stalking

# 4. Arrests and Referrals for Disciplinary Action:

- Weapons Law Violations (carrying/possessing illegal weapons)
- Liquor Law Violations
- Drug Law Violations

# APPENDIX C (Campus Security Authorities)

## **Categories of Campus Security Authorities (CSAs)**

Campus Security Authorities (CSAs) typically fall into one of the following categories:

## 1. Campus Police or Security Personnel:

 Any member of the campus police department or security personnel responsible for law enforcement, crime prevention, or emergency response on campus.

# 2. Individuals with Security Responsibilities (Non-Police/Security Department):

- Individuals responsible for monitoring access to university property, enforcing security measures, or providing a security presence.
- Examples:
  - Residence Life front desk assistants
  - Resident Assistants (RAs)

## 3. Designated Reporting Authorities:

- People or offices that are not part of the police/security department but are specifically designated by university policy to receive reports of criminal offenses.
- Examples:
  - Health Center employees
  - Title IX Coordinator

## 4. Officials with Significant Student and Campus Activity Responsibilities:

- University officials with significant oversight of student housing, student discipline, or campus judicial processes.
- Examples:
  - Director of Residence Life
  - Greek Life Coordinator
  - Dean of Students
  - Director of the Center for Global Engagement
  - o Faculty or staff involved in study abroad programs
  - Faculty or staff serving as advisors to student organizations

#### **CURRENT LIST OF CSAs**

The Clery Compliance Committee, in coordination with the Human Resources Department, maintains CSU's current list of Campus Security Authorities (CSAs). CSAs are notified annually of their reporting and training obligations to ensure compliance with Clery Act requirements. For a current list of CSAs, please contact the Clery Coordinator.

### **APPENDIX D**

