**Clery Act Compliance Procedures**

Many units throughout the campus have responsibilities for compliance with the Clery Act. These procedures set forth the specific responsibilities of different campus units/divisions with respect to the Clery Act.

1. **DEFINITIONS**

The following terms are used in these procedures and/or in the campus Clery Act Policy:

**Administrative Clery Committee:** A committee comprised of the following campus officials who meet to review the campus’ Clery Act compliance efforts and make recommendations to the Clery Compliance Officer regarding the campus’ Clery Act obligations: the Chancellor or his/her designee; the Dean of Students; the Associate Provost for Human Resources; the Director of Student Conflict Resolution; the Associate Director of Campus Code Compliance and Fire Safety; the Associate Chancellor for Public Affairs; the Executive Director of Public Safety; the University Counsel or his/her designee; the Director of Housing; the Vice Chancellor of Student Affairs; the Vice Provost for Academic Affairs; the Assistant Director for International Health and Safety; the Associate Athletic Director/Compliance; and the Title IX Coordinator.

**Annual Security and Fire Safety Report:** A required annual report setting forth statistics for Clery Act Crimes and disciplinary referrals for drug, alcohol, and weapon offenses by type, location, and year; campus security and safety policy statements; procedures for issuing to the campus community Timely Warnings of potentially dangerous criminal and emergency situations; campus evacuation procedures; locations for obtaining information concerning registered sex offenders from state law enforcement agencies; and fire safety policies and procedures for on-campus student housing, and statistics for fires in on-campus student housing.

**Campus Security Authority (“CSA”):** Four groups of individuals and organizations specified in the Clery Act and associated with the campus, including: (1) the Division of Public Safety (“DPS”); (2) individual(s) who have responsibility for campus security, but who are not affiliated with the DPS; (3) any individual or organization specified in the security and safety policy statements as an individual or organization to which students and employees should report criminal offenses; (4) any official of the campus who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings, and who has the authority and the duty to take action or respond to particular issues on behalf of the campus. When acting within the scope of their official responsibilities, Pastoral Counselors, Professional Counselors, and uncertified persons who are acting under the supervision of an exempt counselor, are not CSAs.

**Clery Act Crimes:** Certain crimes specified in the Clery Act, and further described in Appendix A, on which the campus must compile statistics of reports made to the DPS, CSAs and local law enforcement, including Murder and Non-negligent Manslaughter, Manslaughter by Negligence, Sex Offenses (Rape, Fondling, Incest, and Statutory Rape), Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Dating Violence, Domestic Violence, Stalking, Weapon Law Violations, Drug Law Violations, Liquor Law Violations, and Hate Crimes.

**Clery Compliance Officer:** The official the Chancellor designates to coordinate the campus’ Clery Act compliance program.

**Clery Geography Map:** A map depicting the Core Campus and surrounding area that identifies On-Campus Property, Non-Campus Property, and Public Property.

**Core Campus:** The same reasonably contiguous area of buildings or property owned or controlled by the University of Illinois that the campus and its students consider to be, and treat as, an integral part of the main campus; and that are directly supported, or related to the campus’ educational purposes.

**Daily Crime Log:** A log maintained bythe DPS of any and all alleged criminal incidents reported to the DPS.

**Emergency Notification:** An announcement called an “Illini Alert” to inform the campus community of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees on the campus.

**Fire Log:** A log maintained by Campus Code Compliance and Fire Safety of any report to a campus official of a fire occurring in on-campus student housing.

**Missing Student Notification:** Following the determination thata student who resides in on-campus student housing has been missing for 24 hours, a notification issued toa student’s designated confidential contact, parent or legal guardian, and the local law enforcement agency with jurisdiction.

**Non-Campus Property:** (1) Any building or property owned or controlled by a student organization that is officially recognized (or registered) by the campus; or (2) any building or property owned or controlled by the campus that is used in direct support of, or in relation to, the campus’ educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the campus. Non-Campus Property includes, for example, fraternities and sororities; university owned buildings outside of the Core Campus (e.g., Oak Street library facility, Allerton Park, CERL); university-leased buildings outside the Core Campus (e.g., 111 E. Green Street, Champaign).

**On-Campus Property:** (1) Any building or property owned or controlled the University within the same reasonably contiguous geographic area (the Core Campus) and used by the University in direct support of, or in a manner related to, the University’s educational purposes, including residence halls; and (2) any building or property on the Core Campus that is owned by the campus but controlled by another person, is frequently used by students, and supports campus purposes (such as a food or retail vendor). On-Campus Property includes, for example, university buildings (e.g., Illini Union, the Armory, Lincoln Hall); university residence halls (e.g., Sherman Hall, Allen Hall); university owned land/property (e.g., Quad, South Farms, Illini Grove); university streets, sidewalks, and parking lots (e.g., Stadium Drive, sidewalks around Loomis Lab, Lot E14); property leased by the university (e.g., offices within 1001 S. Wright, Champaign); properties owned by the university but controlled by a third party (e.g., offices within the Research Park).

**Pastoral Counselor:** An employee of an institution who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor. The University of Illinois at Urbana-Champaign has no Pastoral Counselors.

**Professional Counselor:** A campus employee whose official responsibilities include providing psychological counseling to members of the campus community and who is functioning within the scope of his or her license or certification.

**Public Property:** All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the Core Campus or immediately adjacent to and accessible from the Core Campus. Public Property includes, for example, city streets (e.g., 600 block of E. Green Street, 1200 block of W. Springfield Avenue); and sidewalks in front of private businesses (e.g., sidewalks outside T.I.S. College Bookstore).

**Timely Warning:** An announcement called a “Campus Safety Notice” to inform the campus community of Clery Act Crimes and other serious incidents when a reported crime may pose a serious or continuing threat to the campus and surrounding community.

1. **RESPONSIBILITIES**
	1. **General Responsibilities**
2. Students, employees, and visitors are encouraged to promptly and accurately report all suspected crimes and significant emergencies or dangerous situations occurring on On-Campus Property, Non-Campus Property, and Public Property to DPS or the appropriate law enforcement agency, when the victim of a crime elects to, or is unable to, make such a report.
3. For the purpose of making timely warning reports to the community and for inclusion in the annual statistical disclosure, Clery Act crimes should be reported to DPS or another Campus Security Authority.
4. For the sole purpose of the inclusion of a Clery Act crime in the annual disclosure of crime statistics, victims or witnesses may report crimes to a Campus Security Authority on a voluntary, confidential basis, by withholding their personally identifiable information.
5. Pastoral and Professional Counselors are encouraged, if and when deemed appropriate, to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.
6. All campus units and divisions must provide a contact name to the DPS to serve as a “Clery Liaison.” The Clery Liaison shall be responsible for providing the following information:
* Identifying and registering Campus Security Authorities (“CSAs”) within the unit/division;
* Registering all Non-Campus Property used by the unit/division;
* Registering specific locations used for accommodations (e.g., hotel, inn, hostel) where students go on overnight university-sponsored travel.
* Entering such information on-line at: <http://police.illinois.edu/crime-reporting/clery-compliance/clery-liaisons/>
1. All campus units and divisions must maintain for seven (7) years all Clery Act-related documentation in accordance with the State Records Commission approved “Application for Authority to Dispose of State Records 13-41 Student Records Retention Schedule.”
2. Campus Security Authorities (CSAs) Responsibilities:
3. CSAs must complete mandatory training.
4. CSAs must report suspected Clery Act Crimes that are brought to their attention or that they personally witness, regardless whether the victim or alleged suspect are associated with the campus.
5. CSAs must complete and submit electronically a CSA Crime Report Form, which is available at the DPS Clery Compliance Campus Security Authorities website at, <http://police.illinois.edu/crime-reporting/clery-compliance/campus-security-authorities/> by clicking on “submit a CSA Crime Report” link. The CSA must sign in using his/her net ID and password.
6. CSAs will provide written notification to the victim which includes the following information and can be found at <http://wecare.illinois.edu/> :
	1. Information about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the University and in the community;
	2. Information about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures;
	3. Explanation of the victim’s rights and options.

1. Office for Student Conflict Resolution (“OSCR”) Responsibilities:
2. OSCR must promptly report any Clery Act Crimes to the DPS.
3. OSCR must gather disciplinary referral information from campus units that have their own disciplinary systems for student code violations (e.g. College of Law, Carle Illinois College of Medicine, and College of Veterinary Medicine) to determine if such referrals include Clery Act Crimes.
4. OSCR must provide any liquor, drug, or weapon law violations resulting in discipline to the DPS for inclusion in the Annual Security and Fire Safety Report.
5. OSCR shall work with local police agencies to monitor criminal activity involving students and student organizations occurring at non-campus locations.
6. Office of the Dean of Students (“ODOS”) Responsibilities:
	* 1. ODOS shall coordinate with DPS to issue a Missing Student Notification within 24 hours of a student determined to be missing.
7. University Housing Responsibilities:
8. University Housing must notify all University Housing residents that they may enter a Missing Student Notification contact into the BANNER database.
9. University Office of Capital Programs & Real Estate Services (“UOCP&RES”) Responsibilities:
10. UOCP&RES must provide the DPS Compliance Coordinator annually each January a list of all active properties leased from third parties on behalf of the campus, including the specific address information, a contract number for referral, and contact information.
11. UOCP&RES must annually review the Clery Geography Map and building list with representatives of the DPS and the Office of University Counsel.
12. Capital Planning & Space Management (“CP&SM”) Responsibilities:
13. CP&SM must provide the DPS Compliance Coordinator annually each January a list of all buildings or property owned or controlled by the university, including specific address information and a notation of those properties that fall within the Core Campus.
14. CP&SM must annually review the Clery Geography Map and building list with representatives of the DPS and the Office of University Counsel.
15. CP&SM must provide an electronic version and printed versions of the Clery Geography Maps to the DPS Compliance Coordinator.
16. CP&SM must notify the DPS Compliance Coordinator buildings or property owned or controlled by the university are bought, sold, or the use of such property changes, to allow updates to the Clery Geography Map and building list.
17. International Programs and Studies (“IPS”) Responsibilities:
18. IPS must provide the DPS Compliance Coordinator annually each January a list of all buildings or property owned or controlled by the university in foreign countries.
19. IPS must annually review the building list with representatives of the DPS and Office of University Counsel.
20. Campus Code Compliance and Fire Safety (“CCC&FS”) Responsibilities:
21. CCC&FS must maintain the campus’ Fire Log and make the Fire Log available, upon request, for public inspection.
22. CCC&FS must work with DPS to provide the required Annual Fire Safety Report portion for inclusion in the Annual Security and Fire Safety Report that is disclosed to the campus community and the public by October 1st of each year. This report shall include:
23. Descriptions of each on-campus student housing facility fire safety system
24. Number of fire drills held during previous calendar year
25. Policies or rules on portable electrical appliances, smoking and open flames in a student housing facility
26. Procedures for student housing evacuation in the case of a fire
27. Policies regarding fire safety education and training programs provided to students and employees
28. For purposes of including a fire in the statistics in the annual fire safety report, a list of the titles of each person or organization to which students and employees should report that a fire occurred
29. Plans for future improvements in fire safety
30. Fire statistics
31. CCC&FS must work with the DPS to provide annual fire statistics for the Department of Education survey, which is available at <http://ope.ed.gov/security>.
32. Human Resources Responsibilities:
33. Both Academic Human Resources and Staff Human Resources must provide the electronic notice of availability of the Annual Security Report to all prospective employees on the “apply” website in the exact wording set forth in Appendix B.
34. Both Academic Human Resources and Staff Human Resources shall annually provide to the DPS any liquor, drug, or weapon law violations resulting in discipline for an employee.
35. Human Resources will maintain documentation that all new employees complete the “Understanding and Preventing Sexual Misconduct and Interpersonal Violence” on-line training which is the Primary Prevention and Awareness program for new employees in accordance with the Clery Act.
36. Admissions Office Responsibilities:
37. Each office of admissions (Undergraduate, Graduate, College of Law, College of Veterinary Medicine, and any other college with its own admissions process) must provide the electronic notice of availability of the Annual Security Report to all prospective students on the “apply” website in the exact wording set forth in Appendix B.
38. Women’s Resources Center (“WRC”) Responsibilities:

1. WRC will maintain documentation of all new students who complete the

“First Year Campus Acquaintance Rape Education (FYCARE)” training which is part of the University’s Prevention and Awareness programs.

* + 1. WRC will provide to DPS in February, a list of all programs and campaigns to prevent dating violence, domestic violence, sexual assault, and stalking that were conducted by WRC during the previous calendar year.
1. Division of Public Safety (“DPS”) Responsibilities:
2. DPS must compile and disclose statistics of reports on the types of Clery Act Crimes that occurred on On-Campus Property, Non-Campus Property, and Public Property.
3. DPS must collect reports of Clery Act Crimes made to DPS, local law enforcement, and CSAs.
4. DPS must, using statistics of Clery Act Crimes reported over the past three years, complete the Department of Education annual Campus Safety and Security Survey, which is available at <http://ope.ed.gov/security>.
5. DPS must, by October 1st of each year, disclose to the campus community and the public, an Annual Security and Fire Safety Report, including:
6. Clery Act Crimes data by type;
7. Security policies and procedures in place to protect the community; and
8. Information on the handling of threats, emergencies and dangerous situations.
9. The Executive Director of Public Safety must notify via e-mail all currently enrolled students and all 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 Security and Fire Safety Report is available without fee upon request, written or otherwise.
10. DPS must provide mandatory training for all CSAs.
11. DPS determines, on a case-by-case basis, whether and when to issue Timely Warnings (“Campus Safety Notices”) to inform the campus community and surrounding community about Clery Act Crimes, depending on when and where the incident occurred, when it was reported, and the amount of information known by the DPS. DPS may issue a Campus Safety Notice whenever a serious crime or series of crimes –in the core campus – poses a continuing risk to students and employees. DPS may issue Campus Safety Notices for Clery crimes.
12. DPS determines on a case-by-case basis, whether and when to issue Emergency Notifications (“Illini Alerts”) to the campus community and surrounding community. DPS may issue an Illini Alert if a situation poses a verified, imminent, or ongoing potential threat to the safety, security, or health of students or employees, and to expedite emergency response and/or evacuation procedures.
13. DPS shall coordinate with ODOS to issue a Missing Student Notification within 24 hours of a student determined to be missing.
14. DPS must once per calendar year conduct at least one test of the campus’ emergency response and evacuation procedures. DPS may publicize in advance the information regarding the test, including the date and time, and should send to the entire campus community via a mass-mail, follow-up information regarding the results of the test, in summary form.
15. DPS must maintain a Daily Crime Log and make Daily Crime Log available for public review at the Public Safety Building.
16. DPS will provide on its website information advising the campus community where information concerning registered sex offenders for the State of Illinois can be found. This information will also be published in the Annual Security and Fire Safety Report.
17. DPS shall work with the campus units and divisions to establish Clery Act-related educational programs and promotion of safety awareness programs.
18. DPS will gather disciplinary referral information from Human Resources (Staff and Academic) along with DIA and ROTC, on an annual basis, to determine if such referrals include Clery Act Crimes.
19. Office ofRegistered Organizations
20. The Office of Registered Organizations will provide the Division of Public Safety with a list of all the Registered Student Organization (RSO) primary contacts, to include the following information: Name of RSO, Name of Primary Contact, and Email for Primary Contact annually in October.
21. All Registered Student Organizations primary contacts shall be responsible for providing the following information:
* Identifying and registering any advisor to their RSO who would qualify as a Campus Security Authority (“CSA”);
* Registering all Non-Campus Property used by the RSO;
* Registering specific locations used for accommodations (e.g., hotel, inn, hostel) where students go on overnight university-sponsored travel.
* Entering such information in an on-line form supplied to them

1. Title IX and Disability Office
2. The Title IX and Disability Office, or designee, will administer and oversee the University’s Primary Sexual Assault Prevention and Awareness Program for new students. In addition, they will administer and oversee the University’s Primary Sexual Assault Prevention and Awareness Program for returning undergrad and graduate students, as well as the training for faculty and staff.
3. This training should include the following information:
	1. A statement that the University prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking;
	2. The definitions for dating violence, domestic violence, sexual assault, and stalking according to the State of Illinois and local laws/codes;
	3. The definition of consent, in reference to sexual activity, in the State of Illinois;
	4. A description of safe and positive options for bystander intervention;
	5. Information on risk reduction (to recognize warning signs of abusive behavior and how to avoid potential attacks); and
	6. Procedures victims should follow if a crime of domestic violence, dating violence, sexual assault, or stalking has occurred.

APPENDIX A

Definitions of Clery Act Crimes

**Murder and Non-negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.

**Manslaughter by Negligence:** The killing of another person through gross negligence.

**Sex Offenses:** Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

* **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. This definition includes either gender of victim or offender. Sexual penetration means 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, or by a sex-related object.
* **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 or physical incapacity.
* **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
* **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

**Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force, violence, and/or by putting the victim in fear.

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.)

**Burglary:** The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned-including joy riding.)

**Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling, house, public building, motor vehicle or aircraft, personal property of another, etc.

**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; (1) 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. (2) For the purpose of this definition – (i) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse; (ii) Dating violence does not include acts covered under the definition of domestic violence.

**Domestic Violence:** (1) A felony or misdemeanor crime of violence committed – (i) By a current or former spouse or intimate partner of the victim; (ii) By a person with whom the victim shares a child in common; (iii) By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; (iv) By a person similarly situated to a spouse or the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or (v) 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 or the jurisdiction in which the crime of violence occurred.

**Stalking:** (1) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to – (i) Fear for the person’s safety or the safety of others; or (ii) Suffer substantial emotional distress. (2) For the purpose of this definition – (i) 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. (ii) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. (iii) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

**Weapons Law Violations: Carrying, Possessing, Etc.:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

**Drug Law Violations:** The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those related to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

**Liquor Law Violations:** The violation of State or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

**Hate Crimes:** A crime involving one or more of the above listed crimes, the crimes of theft, simple assault, intimidation and/or vandalism reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim. The categories of bias include the victim’s actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

* **Larceny-Theft (Except Motor Vehicle Theft):** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.
* **Simple Assault:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
* **Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
* **Destruction/Damage/Vandalism of Property:** To willfully or maliciously destroy, damage, deface, or otherwise injure real of personal property without the consent of the owner or the person having custody or control of it.

APPENDIX B

Availability Notice of the Annual Security and Fire Safety Report

The apply websites for Human Resources and Graduate/Undergraduate Admissions to any college must contain the exact wording below to inform prospective employees and students about the availability of the Annual Security and Fire Safety Report:

“*The University of Illinois Urbana-Champaign Annual Security and Fire Safety Report is available. This report includes statistics from the previous three years concerning reported crime that occurred on campus, in certain off-campus buildings or property owned or controlled by the University of Illinois Urbana-Champaign campus and statistics for fires in on-campus student housing. The report also includes institutional policies concerning campus security and other safety information along with fire safety policies and procedures. You may obtain a hard copy of this report by contacting the Division of Public Safety or by accessing the following Web site:* [*http://police.illinois.edu/clery*](http://police.illinois.edu/clery)*”.*