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
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:
  
  - **Detailed** procedures for preparing an accurate and complete ASR and distributing the report
  
  - **Substantive** processes for identifying and classifying the institution’s “Clery Geography”
  
  - **Comprehensive** procedures for identifying CSAs and notifying them of their responsibilities
  
  - **Reliable** processes for requesting and collecting information about Clery-reportable crimes from institutional CSAs and local law enforcement agencies
  
  - **Consistent** 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

- 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
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?
1. Select the “Click Here to Evaluate” button in “My Schedule”

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