

## Clery Act Compliance Procedures

Many units throughout the University of Denver (University) have responsibilities for compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998, 20 U.S.C. 1092 (Clery Act). These procedures set forth the specific responsibilities of different campus units pursuant to the Clery Act.

### I. DEFINITIONS

The following terms are used in these procedures and/or in the University's [Clery Act Compliance Policy](#) (SAFE 7.10.010):

**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 University community Timely Warnings of potentially dangerous criminal and emergency situations; campus evacuation procedures;

Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Dating Violence,



3. 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.
4. All campus units and divisions with designated responsibilities under these procedures must provide a contact name to DCS to serve as a “Clery Liaison.” The Clery Liaison shall be responsible for providing the following information to the Clery and Compliance Coordinator:
  - a. Identifying and registering CSAs within the unit/division;
  - b. Reporting all Non-Campus Property used by the unit/division;
5. All University units must maintain for seven (7) years all Clery Act-related documentation.

B. Athletics Responsibilities:

1. Athletics must promptly report any Clery Act crimes to DCS.
2. Athletics must identify positions within its department that qualify as a CSA and update the Clery Compliance Coordinator with the names of employees who are identified as CSAs.

C. Campus Security Authorities (CSA) Responsibilities:

1. CSAs must complete mandatory training.
2. 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 University.
3. CSAs must complete and submit electronically a [CSA Incident Report Form](#), which is available on the My DU website. The CSA must sign in using their My DU ID and password.
4. CSAs will provide written notification to the victim which includes the following information and can be found at <https://www.du.edu/equalopportunity/title-ix-sexual-misconduct>:
  - a. 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;
  - b. Information about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures;
  - c. Explanation of the victim’s rights and options.

C. Office





3. DCS 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>.
4. DCS must, by October 1<sup>st</sup> of each year, disclose to the University community and the public, an Annual Security and Fire Safety Report, including:
  - a. Clery Act Crimes data by type;
  - b. Security policies and procedures in place to protect the community; and
  - c. Information on the handling of threats, emergencies and dangerous situations.
  - d. The Director of Campus 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.
6. DCS must provide mandatory training for all CSAs.
7. DCS determines, on a case-by-case basis, whether and when to issue Timely Warnings to inform the University 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 DCS. DCS may issue a Campus Safety Alert whenever a serious crime or series of crimes –in the core campus – poses a continuing risk to students and employees. DCS may issue Campus Safety Alerts for Clery Crimes.
8. DCS determines on a case-by-case basis, whether and when to issue Emergency Notifications.

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14. DC

- K. Office of Student Affairs and Inclusive Excellence (SAIE) Responsibilities:
1. SAIE will provide the DCS annually in October with a list of all the Student Organization (SO) primary contacts, to include the following information:  
Name of SO, Name of Primary Contact, and Email for Primary Contact.
  2. SAIE shall work with local police agencies to monitor criminal activity involving student organizations occurring at Non-Campus Property locations.
  3. All Student Organizations primary contacts shall be responsible for providing the following information:
    - c. Identifying and registering any advisor to their SO who would qualify as a CSA;
    - d. Registering all Non-Campus Property used by the SO.
- L. Equal Opportunity and Title IX Office (EOIX) Responsibilities:
1. EOIX will promptly report all Clery Crimes to DCS.
- M. Kennedy Mountain Campus, Wellness & Recreation Responsibilities:
1. Kennedy Mountain Campus, Wellness & Recreation must identify positions within its division that qualify as a CSA and update the Clery Compliance Coordinator with the names of employees, including student employees, who are identified as CSAs. This list will encompass each of the following units:
    - a. Ritchie Center Operations
    - b. Student Programs (Club Sports, Intramurals, Alpine Club, Fitness & Wellness, etc.)
    - c. Youth Programs (Learn to Programs, School Days Off, PASS Camp, etc.)
    - d. Competitive Programs (Youth Hockey, Hilltoppers, Masters, Adult Hockey, etc.)
    - e. Outdoor Experiences and Programs
    - f. Kennedy Mountain Campus Operations
  2. For each academic quarter, a list of courses offered at the Kennedy Mountain Campus will be sent to the Clery Compliance Coordinator.

## 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.
- **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

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



## APPENDIX B