



**Policy Title:** CLERY ACT COMPLIANCE POLICY  
**Policy Type:** Administrative/Local  
**Policy Number:** 47-15  
**Approval Date:** 11-01-2023  
**Responsible Office:** Norfolk State University Police Department  
**Responsible Executive:** Vice President of Finance and Administration  
**Applies to:** University Community

**POLICY STATEMENT**

To maintain a safe and secure environment for its faculty, staff, employees, students, and visitors, the University will comply with the provisions of the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998,” (Clery Act) as amended. The Clery Act requires the University to report specified crime statistics on and near the Grounds and to provide other safety and crime information to the campus community.

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**DEFINITIONS**

**Campus Community:** Faculty, staff, employees, students, and visitors on or near Norfolk State University’s campuses;

**Campus Security Authority (CSA):** Individuals at the University who, because of their function for the University, have an obligation under the Clery Act to notify the University of alleged Clery Crimes that are reported to them in good faith, or alleged Clery Crimes that they may personally witness. These individuals, by virtue of their position due to official job duties, ad hoc responsibilities, or volunteer engagements, are required by federal law to report crime when it has been observed by or reported to them by another individual. These individuals typically fall under one of the following categories:

- A member of a campus police department.



- Individuals having responsibility for campus security in some capacity, who are not members of a campus police department (e.g., an individual who is responsible for monitoring the entrance to University property).
- People or offices that are not members of a campus police department, but where policy directs individuals to report criminal offenses to them or their office.
- Officials having significant responsibility for student and campus activities, including but not limited to, student housing and student discipline,
- Official: Any person who has the authority and the duty to take action or respond to particular issues on behalf of the University.

**Common examples of CSAs include (but are not limited to):**

Police and security personnel  
Athletic Directors  
Athletic Coaches  
Faculty advisors to student organizations  
Housing & Residence Life Staff  
Emergency Management  
Title IX Coordinators  
Band Directors

CSA's are determined by criteria established in United States Department of Education's The Handbook for Campus Safety and Security Reporting, pgs. 74-81 (Feb. 28, 2011).

**Clery Act Crimes (Clery Crimes):** Crimes required by the Clery Act to be reported annually to the University community, including: criminal homicide (murder and negligent/non-negligent manslaughter); sex offenses (rape, fondling, statutory rape, and incest); robbery; aggravated assault; burglary; motor vehicle theft; arson; hate crimes (including larceny-theft, simple assault, intimidation, or destruction/damage/vandalism of property that are motivated by bias); dating violence; domestic violence; stalking; and arrests and referrals for disciplinary action for any of the following: (a) liquor law violations, (b) drug law violations, and (c) carrying or possessing illegal weapons.

**Clery Reportable Location:** Property that is owned, leased, or controlled by the University which includes: (1) on campus, (2) on public property within or immediately adjacent to the campus, and (3) in or on non-campus buildings or property that the University owns, controls, or leases, is frequented by students and used in support of educational purposes.

**Timely Warning/Community Alert:** An alert triggered when the University determines that a crime which has already been committed but presents a serious or continuous threat (e.g., a



homicide, sex offense or robbery) must be reported to the campus community.

**Emergency Notification:** An announcement triggered by a significant emergency event or dangerous situation involving an immediate threat to the health or safety of the University’s faculty, staff, employees, students, or visitors on University Grounds or at a separate campus. This expands upon the definition of Timely Warning/Community Alert to include both Clery Act crimes and other types of emergencies or events that pose an imminent threat to the campus community.

**Emergency Notification System:** A mechanism established for the purpose of and dedicated to enabling University officials to quickly contact or send messages to faculty, staff, employees, and students in the event of an emergency. Examples include but are not limited to, fire alarms, sirens, NSU alerts via email/text message, digital screens, etc.

### **CONTACT(S)**

The Norfolk State University Police Department officially interprets this policy. The Vice President of Finance and Administration is responsible for obtaining approval for any revisions as required by BOV Policy # 01 (2014) *Creating and Maintaining Policies* through the appropriate governance structures. Questions regarding this policy should be directed to the Norfolk State University Police Department.

### **STAKEHOLDER(S)**

University Community

### **POLICY CONTENTS**

Norfolk State University is committed to maintaining a safe and secure environment for its faculty, staff, employees, students, and visitors. Requirements have been established to assist the University in complying with the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998,” (commonly referred to as the “Clery Act”) thereby facilitating compliance with the Clery Act and increasing overall safety on and near Grounds.

## **I. Requirements of the Clery Act**

Specifically, the University will:

### **1. Publish an Annual Security Report (ASR)**

By October 1<sup>st</sup> each year, the Norfolk State University will publish an ASR documenting three calendar years of Clery crime statistics, security policies and procedures, and information on the basic rights guaranteed victims of sexual assault. All crime statistics must be provided to the U.S. Department of Education.

This report must be made available to all current faculty, staff, employees, and students. In addition, prospective faculty, staff, employees, and students must be notified of the ASR’s existence and provided a copy upon request. Paper copies of the report will be available



upon request from the Norfolk State University Police Department. In addition, Human Resources will publish a link to the ASR with a brief description on their web sites.

## **2. Identify, Notify, and Train Campus Security Authorities (CSAs)**

The University will identify positions which meet the definition of a CSA on an ongoing basis, and notify individuals in these roles of their obligations under the Clery Act to report all Clery Crimes that they witness, or are reported to them, which may have occurred in a Clery reportable location. The University requires that all CSAs complete training on their responsibilities and reporting requirements under the Clery Act. The University will provide such training on a regular basis.

## **3. Disclose Crime Statistics**

Crime Statistics for incidents that occur in Clery reportable locations must be disclosed.

The Norfolk State University Police Department is responsible for gathering crime statistics from the Norfolk State University Police Department, Student Affairs, local law enforcement and other Campus Security Authorities (CSAs).

The Clery Act requires reporting of crimes in the following categories:

- i. Criminal Homicide
  1. Murder & Non-Negligent Manslaughter
  2. Negligent Manslaughter
- ii. Sex Offenses
  1. Rape
  2. Fondling
  3. Statutory Rape
  4. Incest
- iii. Robbery
- iv. Aggravated Assault
- v. Burglary
- vi. Motor Vehicle Theft
- vii. Arson
- viii. Domestic Violence
- ix. Dating Violence
- x. Stalking

In addition to the aforementioned Clery Act crimes, statistics must be gathered for the following categories of arrests or referrals for disciplinary action if an arrest was not made:

- i. Liquor Law Violations
- ii. Drug Law Violations
- iii. Carrying or Possessing Illegal Weapons

Statistics are also required for four additional crime categories if the crime committed is



classified as a hate crime, for the crimes outlined above as well as the following:

- iv. Larceny/Theft
- v. Simple Assault
- vi. Intimidation
- vii. Destruction/Damage/Vandalism of Property

#### **4. Issue *Timely Warnings/Community Alerts***

The University must provide *Timely Warnings/Community Alerts* about Clery Act crimes which pose a serious or ongoing threat to the campus community. This is determined by one (or more) University official(s) who has been pre-identified in the University's Annual Safety Report. Because the nature of criminal threats is often not limited to a single location, *Timely Warning/Community Alerts* must be issued in a manner likely to reach the entire campus community. *Timely Warning/Community Alerts* may be issued for Clery crimes occurring in Clery reportable locations.

*Exception: Crimes that would otherwise be reportable but are reported to a licensed mental health counselor, in the context of a privileged (confidential) communication, are not subject to the Timely Warning/Community Alert requirement.*

#### **5. Issue Emergency Notifications**

The University is required to inform the campus community about a significant emergency event or dangerous situation involving an immediate threat to the health or safety of University faculty, staff, employees, students, and visitors occurring on or near Grounds. An emergency notification expands the definition of *Timely Warning/Community Alert* as it includes both Clery Act crimes and other types of emergencies (e.g., fire, infectious disease outbreak, etc.). Emergency events may be localized; therefore, notifications may be tailored exclusively to the segment of the campus community at risk.

The University also must have emergency response and evacuation procedures in place specific to its on-campus facilities. A summary of these procedures must be disclosed in the ASR. Additionally, the emergency response procedures must be tested at least once, annually.

*Exception: Emergencies where issuing a notification would compromise efforts to assist a victim, contain the emergency, respond to the emergency, or mitigate the emergency are not subject to the emergency notification requirement.*

#### **6. Responding to Reports of Missing Students**

The University provides every student living in University housing the opportunity and means to identify an individual to be contacted in an emergency, including whenever the University determines that a student is missing.

The Norfolk State University Police Department shall investigate all reports of missing

students and will notify and cooperate with other law enforcement agencies, as necessary, to further the investigation.

#### **7. Compile, Report, and Publish Fire Data**

The Higher Education Opportunity Act of 1998 (HEOA) amended the Clery Act to include fire statistics. The Norfolk State University Policy Department will produce an Annual Fire Safety Report (AFSR). The Department of Environmental, Health, Safety and Risk Management (EHSRM) must collect and disclose fire statistics for each on-Grounds student housing facility separately for the three most recent calendar years for which data are available in accordance with HEOA regulations. Each such facility must be identified in the statistics by name and street address, regardless of whether any fires have occurred.

Additionally, EHSRM will provide a description of the fire safety system in each student housing facility that is included in the AFSR. These descriptions should include mechanisms (e.g., fire extinguishers, fire doors, posted evacuation routes, etc.) or systems related to the detection, warning, and control of a fire. EHSRM will submit the AFSR to the Norfolk State University Policy Department for inclusion in the statistics reported to the U.S. Department of Education.

#### **8. Maintain a Daily Crime Log**

The University must maintain a daily crime log documenting the "nature, date, time and general location of each crime" reported to the Norfolk State University Police Department within the last 60 days, and the disposition, if known, of the reported crimes. Incidents must be entered into the log within two business days of receiving the report. The Daily Crime Log is available at the Norfolk State University Police Department during normal business hours. Requests for public inspection of daily crime log entries beyond 60 days must be made in writing and will be made available within two business days of the request.

#### **9. Maintain a Daily Fire Log**

The University must maintain a daily fire log documenting the nature of the fire, date the fire occurred, date and time the fire was reported and general location of each fire-related incident in an on-campus student housing facility reported to any University official. Incidents must be entered into the log within two business days of receiving the report and the previous 60 days of fire log entries must be available for public inspection during normal business hours. The Daily Fire Log is available at the University of Virginia Office of Environmental Health and Safety located at One Morton Drive, Suite 320 Charlottesville, VA 22903, during normal business hours. Requests for public inspection of daily crime log entries beyond 60 days will be made available within two business days of the request.

## **II. Responsibilities:**

- a. The *Chief of Norfolk State University Policy Department* is responsible for:
  - Monitoring the University's compliance with the Clery Act.
  - Updating the requirements in this policy as necessary when the federal

legislation has been amended.

- Annually reviewing geographic categories for inclusion.
  - Establishing a procedure for processing instances of short-stay away trips in order to designate a CSA to disclose any Clery crimes reported during the trip to be included in the ASR.
  - Identifying those positions with CSA responsibilities and notifying those individuals.
  - Maintaining a list of University CSAs.
  - Developing procedures for reporting crime statistics by CSAs.
  - Assessing crime statistics reported by CSAs to determine whether the incident will be counted in the ASR.
  - Educating and training CSAs, as necessary.
  - Publishing the ASR and disclosing statistics of Clery Crimes reported over the past three years.
  - Annually, requesting in writing crime statistics from local law enforcement with jurisdiction over the University's Clery geography.
  - Maintaining and publishing University policies and procedures addressing campus security and safety.
  - Submitting the crime and fire statistics to the U.S. Department of Education.
- b. The ***Norfolk State University Police Department*** is responsible for:
- Reporting crime statistics (as specified in the Clery Act).
  - Issuing *Timely Warnings/Community Alerts* to the campus community about Clery Crimes.
  - Compiling and providing to the *Chief of Norfolk State University Police Department* statistics of reports of Clery Crimes reported to the Norfolk State University Police Department.
  - Monitoring criminal activity at off-campus locations of student organizations officially recognized by the University.
  - Investigating all reports of missing students by notifying and cooperating with other law enforcement agencies, as necessary.
  - Providing paper copies of the Annual Security Report upon request.
  - Maintaining the daily crime log.
  - Coordinating emergency notifications to the campus community when deemed necessary and appropriate.
  - Conducting an annual emergency alert exercise and test the emergency alert system in conjunction with the exercise
- c. ***Campus Security Authorities*** are responsible for:
- Understanding the requirements of the Clery Act pertaining to reportable crimes.
  - Undergoing training and education as determined by the Assistant Vice President for Clery Compliance.
  - Immediately reporting Clery crimes to the Norfolk State University Police

Department.

- d. *Student Affairs* is responsible for:
  - Immediately reporting any Clery Act related crime to the Norfolk State University Police Department for a timely warning and ASR consideration.
  - Annually, providing all conduct referral data to the Norfolk State University Police Department for inclusion in the Annual Security Report.
- e. The *Department of Environmental, Health, Safety and Risk Management (EHSRM)* is responsible for:
  - Collecting fire statistics relative to each on-Grounds student housing facility.
  - Updating the AFSR language to reflect legislative updates and interpretations.
  - Providing AFSR statistics to the Norfolk State University Police Department.
  - Maintaining fire statistics.
  - Maintaining the daily fire log.
- f. The *Office of Admissions (Undergraduate and Graduate)* is responsible for:
  - Notifying and providing the on-line location of the ASR and a brief description of the report to prospective or current students.
  - Providing a paper copy of the ASR upon request to a prospective or current student.
- g. *University Human Resources* is responsible for:
  - Notifying and providing to prospective faculty and staff the on-line location of the ASR and a brief description of the report.
  - Providing a paper copy of the ASR upon request to a prospective or current faculty or staff member.
  - Immediately reporting any Clery Act related crime to the Norfolk State University Police Department for a timely warning and ASR consideration.
  - Annually, providing all conduct referral data to the Norfolk State University Police Department for inclusion in the Annual Security Report.
- h. The *Athletic Department* is responsible for:
  - Immediately reporting any Clery Act related crime to the Norfolk State University Police Department for a timely warning and ASR consideration.
  - Annually, providing all conduct referral data to the Norfolk State University Police Department for inclusion in the Annual Security Report.
- i. The *Office of the Provost* is responsible for:
  - Immediately reporting any Clery Act related crime to the Norfolk State University Police Department for a timely warning and ASR consideration.
  - Annually, providing all faculty conduct referral data to the Norfolk State University Police Department for inclusion in the Annual Security Report.

## **EDUCATION AND COMPLIANCE**

Violations of this policy will be addressed in accordance with the appropriate level of disciplinary action determined on a case-by-case basis by the appropriate Vice President or designee, with sanctions up to or including termination or expulsion from the University depending on the severity





of the offense.

The U.S. Department of Education may impose penalties per each violation. Questions about this policy should be directed to the Norfolk State University Police Department.

## **PUBLICATION**

This policy shall be widely published and distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Office will make every effort to:

- Communicate the policy in writing, electronic or otherwise, to the University community within 14 days of approval;
- Submit the policy for inclusion in the online Policy Library within 14 days of approval;
- Post the policy on the appropriate website; and
- Educate and train all stakeholders and appropriate audiences on the policy's content, as necessary.

Failure to meet the publication requirements does not invalidate this policy.

## **REVIEW SCHEDULE**

- Next Scheduled Review: 11/01/2026
- Approval by, date: Cabinet, 11/01/2023
- Revision History: 11/01/2023
- Supersedes: N/A

## **RELATED DOCUMENTS**

1. Clery Act Appendix for Federal Student Aid Handbook
2. The Handbook for Campus Safety and Security Reporting (2016 Edition)
3. Federal Register, Vol. 79, No. 202/Monday, October 20, 2014/Rules and Regulations, pg. 62769

## **FORMS**

Norfolk State University Police Campus Security Authority Reporting Form