



## COMPLIANCE WITH CLERY ACT

No: SAAP 10-4

Date: September 2021 (revised)  
May 2018 (original)

**Authority:** Title IV of the Higher Education Act of 1965, reauthorized in 2008  
Higher Education Opportunity Act of 2008  
Violence Against Women Reauthorization Act of 2013 (VAWA)

**Initiator:** Chief Student Affairs Officer

**Responsible Party:** Dean of Students

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### I. Purpose

To establish the parameters for compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998 (commonly referred to as the “Clery Act”) and the Violence Against Women Reauthorization Act of 2013 (commonly referred to as VAWA) which are regulations issued under the Higher Education Act of 1965, as amended, and the Higher Education Opportunity Act, enacted August 14, 2008.

### II. Definitions

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

**Campus Security Authority (“CSA”):** individuals at the University of Wisconsin-Milwaukee (“UWM”) who, because of their function for the University, have an obligation under the Clery Act to notify the University of alleged Clery Crimes (see below) 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:

1. A member of a campus police department.
2. Individuals having responsibility for campus security in some capacity, but are not members of a campus police/security department (e.g., an individual who is responsible for monitoring the entrance to University property).
3. People or offices that are not members of a campus police/security department, but where policy directs individuals to report criminal offenses to them or their office.
4. Officials having significant responsibility for student and campus activities, including but not limited to, student housing, student discipline and campus judicial proceedings.

UWM's current list of CSAs is maintained by the Dean of Students, and CSAs are notified annually of their reporting and training obligations.

**Clery Act Crimes ("Clery Crimes"):** the Clery Act requires reporting of crimes in the following categories:

- **Criminal Offenses:**
  - Homicide:
    - Murder & Non-Negligent Manslaughter
    - Negligent Manslaughter
  - Rape
  - Fondling
  - Incest
  - Statutory Rape
  - Robbery
  - Aggravated Assault
  - Burglary
  - Motor Vehicle Theft
  - Arson
- **Hate Crimes, which includes any of the above-mentioned offenses and any of the following offenses that are motivated by bias:**
  - Larceny-Theft
  - Simple Assault
  - Intimidation
  - Destruction/Damage/Vandalism of Property
- **Violence Against Women Act Reauthorization (VAWA) Offenses**
  - Domestic Violence
  - Dating Violence
  - Stalking
- **Arrests and Referrals for Disciplinary Action for:**
  - Carrying and possessing illegal weapons
  - Liquor law violations
  - Drug law violations

**Daily Crime Log:** a record of all criminal incidents and alleged criminal incidents that are reported to the University police for the required Clery geographic locations.

**Emergency Notification:** an announcement to inform the campus community about a "significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus." The bases for an emergency notification are broader than those for a "timely warning" (see below), as they may be issued for Clery Act crimes in non-Clery geography and other types of emergencies (examples: a fire, infectious disease outbreak, terrorist attack, natural disaster, weather emergency).

**Clery Geography:** is any building or property owned or controlled by UWM within the same reasonably contiguous geographic area and used by UWM in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to the area identified in this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor). UWM's Kenwood "main campus" is bounded by

Newport/Edgewood (north), Downer (east), Kenwood (south) and Cramer/Maryland (west). “On campus” includes all UWM residence halls (Sandburg, Purin, Kenilworth, RiverView, and Cambridge Commons). UWM at Waukesha, UWM at Washington County, the School of Freshwater Sciences, and Zilber School of Public Health are each a separate campus.

**Professional Counselors:** individuals whose official responsibilities include providing mental health counseling to members of the institution's community and who are functioning within the scope of his or her license or certification. This includes counselors in training under the supervision of a licensed professional. Professional Counselors, when acting within the scope of the official responsibilities are not Campus Security Authorities. While counselors are exempt from the crime reporting requirements of the Clery Act, the counselors encourage students they are counseling to report crimes to University Police. Counselors also explain to students that they may report crimes to the University Police and/or Dean of Students Office on an anonymous basis for inclusion in the annual disclosure of crime statistics.

**Timely Warning:** an announcement made to alert the campus community about Clery Act Crimes occurring on Clery Geography in the event that a reported crime may pose a serious or continuing threat to students and employees.

### **III. Policy**

The Clery Act, the Campus Sex Crimes Prevention Act of 2000, and 2013 VAWA amendments to the Clery Act require that UWM report and publish crime statistics along with policies and procedures to be followed in the case of sexual violence, dating/domestic violence, stalking and other crimes. In addition, the Higher Education Opportunity Act of 2008, requires institutions that maintain on-campus student housing facilities to publish an annual fire safety report that contains information about campus fire safety practices and standards of the institution. These requirements are monitored on an ongoing basis and then reported annually via the Annual Security and Fire Safety Report by the first of October.

In accordance with the requirements above, the University shall:

- A.** Via issuance of timely warnings, alert the campus community of Clery Act Crimes that pose a serious or continuing threat to students and employees. Timely warnings will be disseminated as soon as pertinent information is available and will provide information that will allow recipients to take precautions to protect themselves and prevent similar crimes from occurring.
- B.** Via issuance of emergency notifications, alert and inform the campus community about a “significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.”
- C.** Maintain a daily crime log of all crimes reported. This log will be available for public inspection, upon request.
- D.** Maintain a daily fire log of all fire-related incidents reported in campus housing. This log will be available for public inspection, upon request.
- E.** Compile and disclose statistics of reports on the types of Clery Act Crimes reported for the University's campuses, the immediately adjacent public areas and public areas running through the campuses, remote classroom facilities and certain non-campus facilities.
- F.** Collect reports of Clery Act Crimes made to University Police, local law enforcement, University officials and other associated with the University who have significant

responsibility for student and campus activities once per year. This collection is in addition to reports received on an ongoing basis.

- G.** Create and publish an annual report to the Department of Education disclosing statistics of Clery Act Crimes reported over the past three years, as well as University policies and procedures addressing campus security and safety.
- H.** Annually disclose/provide access to the campus community and the public, the Annual Security and Fire Safety Report, which provides:
  - 1. Crime data (by type);
  - 2. Fire incident data;
  - 3. Security policies and procedures in place to protect the community; and
  - 4. Information on the handling of threats, emergencies and dangerous situations.
- I.** Identify CSAs on a regular, ongoing basis, and notify these individuals of their obligations under the Clery Act to report any and all Clery Crimes that they witness, or are reported to them.
- J.** Provide regular, mandatory training for all CSAs.
- K.** Dean of Students, University Housing, University Police and other appropriate departments will create, establish, and conduct programs at all University campus locations to educate the campus and surrounding community about the Clery Act and Clery Act obligations, and to promote general awareness of all crime and safety-related issues.
- L.** In the event a student is reported missing, UWM officials will notify the University Police Department immediately and local law enforcement within 24 hours.

#### **IV. Procedures**

##### **A. Annual Security & Fire Safety Report Procedures**

Each year, the Dean of Students Office (in consultation with other campus units, such as the University Police Department, Title IX Office, University Housing, Norris Health Center, the Office of Equity/Diversity Services, Office of Legal Affairs, and University Safety and Assurances) compiles statistics on reported crimes and fires for the preceding three years. The Dean of Students will (in consultation with other campus units, as above) edit and publish the University's Annual Security and Fire Safety Report and submit the crime and fire statistics to the U.S. Department of Education, Office of Postsecondary Education, by October 1 each year.

To compile Clery Act statistics, the Dean of Students Office collects a log of Crimes from the UWM Police Department, Equity & Diversity Services, University Housing, Title IX Office, and all Campus Security Authorities. The Dean of Students Office cross checks crimes reported from multiple offices to check for duplicate reports. Then, the Dean of Students Office provides this comprehensive list to the Norris Health Center Director, who cross checks the list with the crimes that may have been confidentially provided to health and counseling staff. De-identified crime reports that have not been previously reported are added to this list. The Dean of Students Office collects these reports and includes statistics on the Annual Security and Fire Safety Report and reports them to the Department of Education Office of Postsecondary Education website. In the event of any reporting errors, UWM will update the Annual Security and Fire Safety Report, republish it, and redistribute it to students. UWM will also update its reporting to the Department of Education Office of Postsecondary Education.

## **B. Campus Security Authority Procedures**

Each year, the Dean of Students Office reviews the latest version of the Clery Handbook to check for changes in reporting requirements that may have taken place since the last reporting period, and updates the self-directed training.

Each year, the Dean of Students Office also contacts deans, division heads, and supervisors of units that had CSAs the prior year to request assistance in identifying CSAs in their units and confirming existing CSAs. The notification includes an overview of the role of Campus Security Authorities, information on how to identify CSAs, and notification that all new employees who are CSAs must participate in the training annually and upon hire. Included with the notification is a request for a list of all CSAs, including the CSA's contact information (roles, units, and email address), for their unit. Deans, division heads, and supervisors submit their CSA list to the Dean of Students Office.

The Dean of Students Office distributes a self-directed training module to each Campus Security Authority on an annual basis. All Campus Security Authorities are required to complete the module. The module includes: (1) a description of the role of a CSA; (2) a description of the Clery Act geography; (3) a list of Clery Act crimes and definitions; (4) instructions on how to report detailed information to law enforcement; and (5) instructions on how to report detailed information to the campus incident reporting form.

## **V. Clery Responsibilities by Unit/Categories:**

### **A. All University Faculty, Staff, and Students on University Facilities or Property:**

1. Promptly report any activity that is perceived as criminal, potentially dangerous or suspicious to a Campus Security Authority (CSA).
2. Promptly report any Clery Act related crimes. If you are unsure whether the incident meets the criteria, it is still recommended that you report it, (visit <https://uwm.edu/deanofstudents/clery-act-information/report-a-crime/>).

### **B. All University Visitors on University Facilities or Property:**

1. Promptly report any activity that is perceived as criminal, potentially dangerous or suspicious to a Campus Security Authority (CSA).

### **C. Campus Security Authorities (CSAs):**

1. Receive information of alleged crimes that are reported to them in good faith by others, or report alleged crimes that they may personally witness. Under the Clery Act, a crime is "reported" when it is brought to the attention of a campus security authority or local law enforcement personnel by a victim, witness, other third party or even the offender.
2. Record information about crimes reported to them. To record information about a crime reported, the Campus Security Authority must complete an Incident Reporting Form. (visit <http://uwm.edu/reportit/>)
3. Exemptions: The following individuals, when acting within the scope of the official responsibilities, are not Campus Security Authorities, and as such, are exempt from the mandates of this policy regarding CSAs:
  - a. Professional Counselors
  - b. Persons uncertified, but acting in the role of a licensed counselor under the supervision of an exempt counselor

**D. Dean of Students Office:**

1. Collect reports of Clery Crimes made to University Police, local law enforcement, University officials and others associated with the University who have significant responsibility for student and campus activities.
2. By October 1 each year, create and publish the Annual Security and Fire Report, disclosing to the campus community and public:
  - a. Clery Crime data (by type) reported over the past three years
  - b. University Housing Fire incident data;
  - c. Security policies and procedures in place to protect the community; and
  - d. Information on the handling of threats, emergencies and dangerous situations.
3. Submit the crime and fire statistics to the U.S. Department of Education, Office of Postsecondary Education by October 1 each year.
4. Provide regular, mandatory training for all CSAs.
5. Annually review Clery geography parameters.
6. Work with University Police and other departments to establish Clery Act-related educational programs and promotion of safety awareness programs.
7. Work with students to promote adherence to the Student Code of Conduct (Chapter UWS 17) in minimizing behavior that is inconsistent with the essential values of the University community.
8. Monitor the University's compliance with the Clery Act.
9. Update the requirements in this policy as necessary when the federal legislation has been amended.

**E. Lesbian, Gay, Bisexual, Transgender, Queer Plus (LGBTQ+) Resource Center**

1. Work with Dean of Students Office and other departments to establish Clery Act-related educational programs for the prevention and awareness of dating violence, domestic violence, sexual assault, and stalking.

**F. Norris Health Center, University Counseling Services, and Health Promotion & Wellness:**

1. Cross check the list the Dean of Students Office compiled of all Clery Crimes with the crimes that may have been confidentially provided to health, counseling, and victim advocacy staff and add de-identified crime reports that have not been previously reported.
2. Work with Dean of Students Office and other departments to establish Clery Act-related educational programs for the prevention and awareness of drug and alcohol abuse, dating violence, domestic violence, and stalking.

**G. University Housing:**

1. Work with residents to promote adherence to the Student Code of Conduct (Chapter UWS 17) in minimizing behavior that is inconsistent with the essential values of the University community.
2. Annually provide all conduct referral data to the Dean of Students for inclusion in the Annual Security and Fire Safety Report.
3. Fire and other safety obligations

**H. University Police:**

1. Compile and disclose statistics of reports on the types of Clery Crimes reported for the University's campuses, the immediately adjacent public areas and public areas running through the campuses, remote classroom facilities and

- non-campus facilities.
2. Annually request data for the respective Clery crimes and other weapon, drug or alcohol related cases that could be classified as referrals occurring in UWM's Clery geography to local agencies, including.
    - a. Milwaukee Police Department
    - b. Glendale Police Department
    - c. Wauwatosa Police Department
    - d. Shorewood Police Department
    - e. Ozaukee County Sheriff's Office
    - f. West Bend Police Department
    - g. Waukesha Police Department
    - h. Waukesha County Sheriff's Department
    - i. Milwaukee County Sheriff's Office
  3. Issue "timely warnings" alerts to the campus and surrounding community about Clery Crimes.
  4. Issue "emergency notifications" to the campus and surrounding community when deemed necessary and appropriate.
  5. Maintain a daily crime log of all crimes reported.
  6. Maintain a daily fire log of all fire-related incidents reported in on-campus student housing facilities.
  7. Annually request, in writing, crime statistics from local law enforcement with jurisdiction over the University's Clery geography;
  8. Compile and provide to the Dean of Students, statistics of reports on the types of Clery Crimes reported for the University's campuses, the immediately adjacent public areas and public areas running through the campuses, remote classroom facilities and non-campus facilities.
  9. Work with the Dean of Students Office and other departments to establish Clery Act-related educational programs and promotion of safety awareness programs.

**I. University Safety and Assurances**

1. Review and confirm information on emergency preparedness training, procedures, and planning.
2. Provide procedures and statistics for tornado and fire drills.
3. Provide value of property damage for Clery reportable fires.

**J. Women's Resource Center**

1. Work with Dean of Students Office and other departments to establish Clery Act-related educational programs to prevention and awareness of dating violence, domestic violence, sexual assault, and stalking.

**K. Title IX Office**

1. Investigate complaints of sex and gender-based discrimination.
2. Annually provide all Clery crime data and information to the Dean of Students for inclusion in the Annual Security and Fire Safety Report.
3. Work with the Dean of Students Office and other departments to establish Clery Act-related educational programs and promotion of safety awareness programs.

**L. Office of Equity/Diversity Services**

1. Investigate complaints of discrimination, including sex and gender-based discrimination, based on legally protected characteristics.
2. Annually provide all Clery crime data and information to the Dean of Students for inclusion in the Annual Security and Fire Safety Report.
3. Work with the Dean of Students Office and other departments to establish Clery Act-related educational programs and promotion of safety awareness programs.

**VI. Contact Information**

Dean of Students  
Student Union 345  
Voice: 414 229-4632  
Facsimile: 414 229-6793  
Electronic: dos@uwm.edu

For further information on the Clery Act, visit <http://uwm.edu/deanofstudents/clery-act-information/>