POLICY NAME: Clery Act Compliance Policy

POLICY NUMBER: UW-03-02

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<thead>
<tr>
<th>Authority Title and Review Information:</th>
<th>Name and Date</th>
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<tr>
<td>Approval Authority:</td>
<td>President</td>
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<tr>
<td>Responsible Executive:</td>
<td>Associate Vice President and Chief Audit, Risk and Compliance Officer</td>
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<td>Responsible Office:</td>
<td>Office of Audit, Risk and Compliance</td>
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<td>Responsible Officer:</td>
<td>Clery Act Compliance Coordinator</td>
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<td>Policy Category:</td>
<td>Ethics, Integrity &amp; Compliance</td>
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<tr>
<td>Effective Date:</td>
<td>1/2023</td>
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<td>Last Review Date:</td>
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I. POLICY STATEMENT


The Clery Act requires colleges and universities participating in federal financial aid programs to comply with various requirements related to safety on campus. Michigan State University (MSU or the University) is committed to providing a safe and secure learning and working environment, consistent with its obligations under the Clery Act.

II. SCOPE

This policy applies to all MSU locations and Clery Geography.

III. DEFINITIONS

Annual Security and Fire Safety Report – A report containing statistics of Clery Crimes and certain fire safety statistics for the three most recent calendar years as well as university policy statements and procedures addressing campus security and fire safety on MSU’s Clery Geography.
**Campus Security Authority (CSA)** – An individual who meets one of the following definitions: a) a campus police or security department; b) any individual who has responsibility for campus security; c) any individual or organization specified by policy as an individual or organization to which students and employees should report criminal offenses; or d) an official of an institution who has significant responsibility for student and campus activities.

- An “official” is defined as any person who has the authority and duty to take action or respond to a particular issue on behalf of the institution.

**Clery Crimes** – Crimes designated as reportable under the Clery Act, which include:

- **Criminal Offenses** – murder and non-negligent manslaughter, manslaughter by negligence, sexual assault (rape, fondling, incest, and statutory rape), robbery, aggravated assault, burglary, motor vehicle theft, and arson.
- **Hate Crimes** – any of the above-mentioned Criminal Offenses and any incidents of larceny-theft, simple assault, intimidation, or destruction/damage/vandalism to property that were motivated by bias.
- **Violence Against Women Act (VAWA) Offenses** – domestic violence, dating violence, and stalking.
- **Weapons, Drug, and Liquor Law Violations** – arrests and referrals for disciplinary action.

**Clery Geography** – Buildings and properties on each separate campus considered to be:

- “on campus” – buildings or property owned or controlled by MSU within the same reasonably contiguous geographic area; or buildings or property within the same reasonably contiguous areas, owned by the institution but controlled by another person, frequently used by students, and supporting educational purposes.
- “noncampus building or property” – building or property owned or controlled by the University that is used in direct support of, or in relation to, the University’s educational purposes, is frequently used by students, and is not within the reasonably contiguous geographic area of the University; or building or property owned or controlled by a registered student organization.
- “public property” - thoroughfares, streets, sidewalks, and parking facilities that are within the campus or immediately adjacent to and accessible from the campus.
- “separate campus” - Additional location that (a) the institution owns or controls, (b) is not reasonably geographically contiguous with the main campus, (c) has an organized program of study, and (d) there is at least one person on-site acting in an administrative capacity.
**Emergency Notification** – Notification to the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus.

**Timely Warning** – Notification to the campus community of Clery Crimes that occur on MSU’s Clery Geography and represent a serious or continuing threat to the safety of students or employees.

**IV. POLICY**

It is the policy of MSU to comply with the Clery Act and its implementing regulations for each separate campus.

**V. POLICY PROCEDURES**

A. On an annual basis, MSU will:
   a. Identify and provide mandatory training to CSAs concerning their crime reporting obligations.
   b. Request and collect reports of Clery Crimes made to CSAs and other law enforcement agencies.
   c. Compile statistics of reported Clery Crimes reported to CSAs or other law enforcement that were alleged to have occurred on MSU’s Clery Geography.
   d. Submit Clery Crime and fire statistics to the U.S. Department of Education.
   e. By the publication deadline established by the U.S. Department of Education, publish the university’s Annual Security and Fire Safety Report that covers each of MSU’s separate campuses. The report will contain the following:
      i. Safety and security-related policy statements (including emergency notification and evacuation procedures);
      ii. Clery Crime statistics;
      iii. Fire statistics for each on-campus student housing facility;
      iv. Fire safety information related to on-campus student housing facilities;
      v. Procedures for institutional disciplinary action in cases of dating violence, domestic violence, sexual assault, and stalking; and,
      vi. Missing student notification procedures that pertain to students residing in on-campus student housing facilities.
   f. By the publication deadline established by the U.S. Department of Education, distribute notice of the availability of the University’s Annual Security and Fire Safety Report to all current students and employees.
   g. Make available the Annual Security and Fire Safety Report to prospective students and employees.
h. Provide crime prevention and awareness educational programs and campaigns for students and employees.

B. On an ongoing basis, MSU will:
   a. Maintain missing student emergency contact notification procedures for students residing in on campus student housing.
   b. Maintain emergency response and evacuation procedures.
   c. Issue Timely Warnings for Clery Crimes that occur on Clery Geography that represent a serious or continuing threat to students and employees. The MSU Department of Police and Public Safety (DPPS) maintains a Timely Warnings and Emergency Notifications Policy.
   d. Issue Emergency Notifications upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. DPPS maintains a Timely Warnings and Emergency Notifications Policy.
   e. Maintain a daily crime and fire log, open to public inspection. This log shall include all alleged criminal incidents reported to DPPS if they occurred within MSU's Clery Geography or the DPPS patrol jurisdiction. Additionally, it shall include records of all reported fires occurring in MSU's on-campus student housing facilities.

C. All campus units and divisions must provide a contact name to the Clery Act Compliance Coordinator to serve as a Clery Liaison.

D. MSU will meet other operational and reporting Clery Act requirements as stipulated by the Department of Education.

VI. VIOLATIONS

Employees or students who violate this policy may be subject to discipline.

VII. RELATED INFORMATION AND ATTACHMENTS

Annual Security and Fire Safety Report

MSU DPPS ADM 17 – Timely Warnings and Emergency Notifications

Relationship Violence and Sexual Misconduct and Title IX Policy

Student Life & Engagement – Missing Student Notification Policy
## VIII. HISTORY

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<td>Issued:</td>
<td>1. Office of Audit, Risk and Compliance</td>
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<td></td>
<td>2. November 2, 2022</td>
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<td>Approved by:</td>
<td>1. Interim President Teresa K. Woodruff, Ph.D</td>
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<td></td>
<td>2. November 21, 2022</td>
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<tr>
<td>Revised:</td>
<td>1. N/A-New Policy</td>
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