



# Jeanne Clery Disclosure Act

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### 1. PURPOSE

The purpose of this policy is to outline the roles and responsibilities for compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) at the Valdosta State University.

### 2. POLICY STATEMENT

The Clery Act is a federal law that requires institutions of higher education participating in Title IV student aid programs to disclose information about certain crimes, emergencies, and various safety related policies with the goal of enhancing campus safety. This policy sets forth guidelines intended to ensure the University’s ongoing compliance with the Clery Act’s obligations.

### 3. DEFINITIONS

#### CLERY ACT

- A. **Campus Security Authority (CSA)**—A Clery Act-specific term that encompasses four groups of individuals and organizations associated with an institution. A campus police or security department of an institution, any individual(s) who have responsibility for campus security but who do not constitute a campus police or security department, any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses, and an official of an institution who has significant responsibility for student and campus activities, including but not limited to, student housing, student discipline and campus judicial proceedings.
- B. **Clery Act Crimes**—Crimes required by the Clery Act to be reported annually in the Annual Security Report (ASR) including criminal homicide (murder and negligent/non-negligent manslaughter), sex offenses (rape, fondling, incest, statutory rape), robbery, aggravated assault, burglary, motor vehicle theft, arson, hate crimes (including larceny theft, simple assault, intimidation, or destruction/vandalism of property that are motivated by bias), dating violence, domestic violence, stalking, arrest and referrals or disciplinary action for any of the following; liquor law violations, drug law violations, weapon:



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- D. **Consent**—Words or actions that show a knowing and voluntary willingness to engage in mutually agreed-upon sexual activity. Consent cannot be gained by force, intimidation, or coercion, by ignoring or acting in spite of objections of another, or by taking advantage of the incapacitation of another, where the respondent knows or reasonably should have known of such incapacitation. Minors under the age of 16 cannot legally consent under Georgia law.
- E. **Daily Crime Log**—A public log that records, by date reported, all crimes reported to University Police.
- F. **Emergency Notification**—Immediate notification to the campus community upon confirmation of a significant emergency or dangerous situation occurring on the    rhat



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were successfully completed.)

- Q. **Burglary**—The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes unlawful entry with intent to commit a larceny or felony, breaking and entering with intent to commit a larceny, housebreaking, safecracking, and all attempts to commit any of the aforementioned.
- R. **Motor Vehicle Theft**—The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned—including joyriding.)
- S. **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.
- T. **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.
- U. **Statutory Rape**



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occurred.

- f. For the purposes of complying with the requirements of this policy any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Z. **Stalking**—Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- a. Fear for the person’s safety or the safety of others; or
- b. Suffer substantial emotional distress.

For the purposes of this definition—

- a. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.
- b. A reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- c. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- d. For the purposes of complying with the requirements of this policy any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

## INSTITUTIONAL DEFINITIONS

AA. **Prohibition of Offenses**—Valdosta State University prohibits the crimes of dating violence, domestic violence, sexual assault (rape, fondling, incest, statutory rape) and stalking, as defined in this policy.

BB. **Disciplinary Processes**—Disciplinary proceedings are conducted by the departments below consistent with this policy:

- i. Title IX
- ii. Student Conduct
- iii. Human Resources
- iv. University Police

CC. **Community**—Students, faculty, and staff, as well as contractors, vendors, visitors, and guests.

DD. **Weapons Law Violations**—The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

EE. **Drug Abuse Violations**—The violation of laws prohibiting the production,

use, distribution, and/or use of controlled substances (Federal, State, and Local) and the possession of a controlled substance on campus.



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alcoholic beverages, not including driving under the influence and drunkenness.

4.



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f. **Crime Reporting**

Crimes should be reported to the Valdosta State Police department. A crime can also be reported when it is brought to the attention of a CSA or a local law enforcement agency.

g. **Crime Statistics Reporting**

The University must submit the Clery crime statistics to the U.S Department of Education (ED). An annual survey is conducted by ED, known as the Campus Safety and Security Survey. This web-based survey is used to collect the statistical data published in the ASR. Prior to the collection, ED sends a letter and a registration certificate to the appropriate personnel. This letter contains information necessary to access the survey and enter the data. The information is then entered, and the submission is locked on ED website. This is mandatory data collection.

h. **Ongoing Disclosures**

1. **Timely Warnings** – the Valdosta State Police department will issue timely warnings for any Clery Act crimes that the University determines represent an ongoing threat to the safety of students, employees, or the campus community.
2. **Emergency Notifications** – the Valdosta State Police department will issue an emergency notification upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employees or campus community.

3. **Daily Crime Log** – The Valdosta State Police department will create and maintain a public log of all crimes reported to University Police that occurred at any property owned, leased or rented by the University or within 500 yards of the property or within granted patthieaati Police









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1. **Educational Programming**  
Programming is provided



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## 7. AFFECTED STAKEHOLDERS

Indicate all entities and persons within the university affected by this policy:

Alumni                      Graduate Students                      Undergraduate Students  
 Staff                          Faculty    Student Employees  
 Visitors                      Vendors/Contractors                      Other: \_\_\_\_\_

## 8. POLICY ATTRIBUTES

|   |   |
|---|---|
| <i>Responsible Office(s)</i>                              | Clery Act Coordinator<br>Office of Legal Affairs<br>West Hall Suite 1004<br>229-333-5351<br><br>Chief of Police<br>Public Safety<br>1410 N. Oak St.<br>229-333-7816 |
| <i>Approving Officer or Body</i>                          | University Council  |
| <i>Date Approved</i>                                      | Open comment period March 21-April 6, 2023 and Aug. 22-Sept. 6, 2023  |
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| <i>Next Review Date</i>                                   |   |