



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: carrying, possessing, etc.
- C. **Complainant** – An individual lodging a complaint under this policy. The complainant may not always be the alleged victim.

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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 campus that involves an immediate threat to the health or safety of students or employees.
- G. **Fire Log** – A log that records all reported fires, including arson, in on-campus student housing facilities. The log must include the nature, date, time, and general location of each fire. Fires must be recorded in the log within two business days. Institutions must make the fire log for the most recent 60-day period open to public inspection, and any portion of the log older than 60 days available within two business days of a request for public inspection.
- H. **Notice** – Notification of the availability of information the University is required to disclose by this policy, provided to an individual on a one-to-one basis through an appropriate mailing or publication, including direct mailing through the U.S.P.S, campus mail, or electronic mail.
- I. **Respondent** – An individual who is alleged to have engaged in conduct prohibited by this policy.
- J. **Timely Warning** – An alert to the campus community of Clery crimes in a manner that is timely and will aid in the prevention of similar crimes. The intent of a warning regarding a criminal incident is to enable people to protect themselves. The warning should be issued as soon as pertinent information is available.
- K. **University Community** – Students, faculty, and staff, as well as contractors, vendors, visitors, and guests.

PRIMARY CRIMES

- L. **Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
- M. **Criminal Homicide—Manslaughter by Negligence:** The killing of another person through gross negligence.
- N. **Criminal Homicide—Murder and Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.
- O. **Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- P. **Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied using a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime



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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:** Sexual intercourse with a person who is under the statutory age of consent.
- V. **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 their age or because of their temporary or permanent mental incapacity.
- W. **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.



VAWA OFFENSES (VIOLENCE AGAINST WOMEN ACT)

- X. **Dating Violence** - Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
 - For the purposes of this definition—
 - a. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - b. Dating violence does not include acts covered under the definition of domestic violence.
 - c. **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.
- Y. **Domestic Violence:** A felony or misdemeanor crime of violence committed—
 - a. By a current or former spouse or intimate partner of the victim.
 - b. By a person with whom the victim shares a child in common.
 - c. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner.
 - d. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or
 - e. By anyone against an adult or youth victim protected from that person's acts under the domestic or family violence laws of the jurisdiction where the crime



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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.

STOP CAMPUS HAZING ACT

A. **Hazing** means any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that—

- a. is committed in the course of an initiation into, an affiliation or connection with, the maintenance of membership in, or any other condition or precondition connected to a student organization or school organization; and
- b. causes or creates a risk, above the reasonable risk encountered in the course of participation in institution or organization activities (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including—
- c. whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
- d. causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
- e. causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
- f. causing, coercing, or otherwise inducing another person to perform sexual acts;
- g. any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
- h. any activity against another person that includes a criminal violation of local, state, tribal, or federal law; and
- i. any activity that induces, causes, or requires another person to perform a duty or



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task that involves a criminal violation of local, state, tribal, or federal law.

B. School / student organization means an organization (such as a club, society, association, corporation, order, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, student government, or group living together) in which two or more of the members are enrolled students or alumni, including local affiliate organizations, whether or not the organization is established or recognized by the institution.

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, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.
- FF. **Liquor Law Violations:** The violation of State or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

4. **PROCEDURES (Administrative Roles and Responsibilities)**

1. **Clery Act Coordinator**

- a. Oversees the Clery Act Committee that is a multidisciplinary team that provides strategic vision and planning for Clery Act compliance.

2. **Clery Act Committee**

- a. The committee meets quarterly to discuss the vision and planning for Clery Act

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compliance and is responsible for policy development to remain compliant with the Clery Act. Members of the committee are subject matter experts from multiple departments.

- b. Responsible for notification to CSAs of their reporting obligations and training on the reporting process.

3. Classification Review Work Group Chair

- a. Responsible for directing the Classification Review Work Group in collecting, classifying and counting crime reports for use in preparing and publishing annual crime statistics.
- b. Convenes the work group meets not less than quarterly to review all cases from the previous month(s) to classify and count crime reports for Clery reporting purposes.

4. Campus Security Authority (CSA)

- a. Report alleged crimes that are reported to them. CSAs are responsible for reporting allegations of Clery Act crimes reported to them as a CSA.
- b. CSAs record information about the crime(s) reported to them in a timely manner by completing a [CSA Incident Report Form](#). Residence Life may submit these reports via RA Incident Reporting Form.
- c. Contact University Police immediately if the incident poses an imminent threat to the campus community.

5. Annual Security Report (ASR)

The University will produce an Annual Security Report by October 1st containing a summary of campus security policies and specific crime statistics.

- Must provide a notice to all enrolled students and current employees that includes a statement of the report's availability, description of the contents, exact URL where the report is posted and how to obtain a print copy of the report.
- Must provide a notice to prospective students and prospective employees that includes a statement of the report's availability, description of the contents, exact URL where the report is posted and how to obtain a print copy of the report.
- In preparing for the compilation of the ASR, the Clery Act Coordinator must ensure that all information to be included in the ASR is current, relevant and applicable by communicating with various departments.

6. 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.

7. 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.

8. Ongoing Disclosures



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- a. **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.
- b. **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.
- c. **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 that property or within granted patrol jurisdiction. The crime log must include the nature, date, time, general location, and disposition of each reported crime. All entries must be added to the crime log within two business days of the report. The log will be made available for public inspection at the University Police department during regular business hours.

9. Missing Students

1. Missing Person Procedures

- a. Residence Life employees receiving a report of a missing student must immediately notify University Police at 229-333-7816.
- b. Each residential student can identify, via the VSU Housing Portal, a designated contact to be notified by University Police the same as the emergency contact listed for the student. Students under the age of 18 who are not emancipated will be informed each academic year that the institution is required to notify the custodial parent not later than 24 hours after the time the student is deemed to be missing.
- c. A student is determined to be missing when a report is made to the Valdosta State Police Department and its personnel determine the report to be credible. Credibility may be established if any of the following circumstances are verified:
 - i. A student is out of contact after reasonable efforts have been made to reach the student, via phone, email, text, and visits to on-campus room.
 - ii. Conditions that may indicate an act of criminality are involved. (If this occurs, the 24-hour waiting period will be discarded).
 - iii. Conditions that may indicate physical safety is in danger.
 - iv. Conditions become known that indicate medicine dependence may threaten health, and/or
 - v. The existence of physical/mental disability indicates the student's physical safety could be in danger. (If this occurs, the 24-hour waiting period will be discarded)
- d. If the student is deemed missing, University Police will notify the student's emergency contact no later than 24 hours after the student is determined to be missing. For students under 18 who are not emancipated, University Police will notify the custodial parent no later than 24 hours after the student is deemed missing.

2. Investigation Follow Up

- a. To report a student missing, a complainant should call the Valdosta State



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Police Department at 229-333-7816 and inform the dispatcher that you wish to file a missing person report.

- b. An initial incident report will be taken by a University Police Officer. Included in the report will be the following information:
 - i. Name and physical description of the missing person.
 - ii. If the missing person owns a car or has access to one.
 - iii. Physical and mental condition of the missing person.
 - iv. Any situations or events that may have contributed to the disappearance.
 - v. The last time the student was seen and whom he/she was seen with. Included with this information are any statements made by the missing person as to his/her future plans.
 - vi. Campus residence and any phone number he/she could be reached at.
 - vii. List of family and friends that may be aware of the location of the student.
 - viii. Contact information of the person reporting the missing student.
- c. The responding officer and other shift personnel will search the campus for the student and his/her vehicle. If the student cannot be found, the on- call investigator will be notified as will the Chief of Police or his designee.
- d. The investigator will begin an inquiry into the student's whereabouts. The investigator will notify local law enforcement agencies and place the student's name and information on the Georgia Crime Information System.
- e. The Chief of Police will notify the President and Vice President for Enrollment and Student Affairs as well as the Director of Housing and Residence Life.
- f. Unless circumstances dictate differently, the person listed by the student to be contacted after 24 hours will be notified. The person may be contacted prior to the 24 hours if warranted by the information developed by the investigator.

3. Dates and Times of Notifications Made

- a. The President, Vice President for Enrollment and Student Affairs and Director of Housing and Residence Life will be informed by the University Police Department after initial attempt to contact the student does not successfully establish contact or lead to information that results in actual contact being made with the student. Each will be updated by University Police as the investigation of the incident progresses. If necessary, Communications will be requested to assist with contacting the media for assistance.
- b. The emergency contact listed by the student and any other emergency contact listed under Banner will be notified as part of the investigation in attempting to establish contact with the student reported missing. In the case of a student under the age of eighteen (18) and not emancipated, the contact will be with the custodial parent. The contact will be initiated by the Valdosta State Police Department.

10. Alcohol and Other Drugs

1. Alcohol

- i. Valdosta State University prohibits consumption, possession, or transportation of alcoholic beverages by any person under legal age and
- ii. Furnishing and/or distributing alcoholic beverages to any student under



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legal age.

2. **Drugs**

- i. Valdosta State University prohibits the possession, use (without valid medical or dental prescription), manufacture, furnishing, or sale of any narcotic or dangerous drug controlled by federal or Georgia law;
- ii. Possession of drug paraphernalia; and **Being** under the influence of a narcotic or other controlled substance except as permitted by law or valid medical prescription.

3. **Education and Prevention**

- i. Programming is provided by multiple departments across all campuses. This is assessed during the bi-annual review process.

11. **Accommodations and Protective Measures**

- a. When the Title IX Coordinator has received information regarding an allegation of sexual misconduct including, but not limited to, dating violence, domestic violence, sexual assault (rape, fondling, incest, statutory rape) and stalking, the victim will be provided with written information about support services. Support services are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without charge.
- b. Support services include existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services.
- c. Accommodation includes options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures.
- d. The University will make such accommodation or provide such protective measures if the victim requests them and if they are reasonably available. Such assistance will be provided regardless of whether the victim chooses to report the crime to University Police or local law enforcement.
- e. The University will maintain as confidential any accommodation or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.
- f. Supportive measures must be offered regardless of whether an investigation is pending or ever occurs.

12. **Educational Programming**

Programming is provided to students, faculty and staff by multiple departments across campus.

13. **Retaliation** – No officer, employee, or agent of Valdosta State University may retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of the Clery Act or this policy. Violation of this provision is subject to the disciplinary process of the Office of Human Resources or **Student** Conduct.

5. **REFERENCES**

- [20 USC §1092\(f\)](#)

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- [34 CFR §668.41](#)
- [34 CFR §668.46](#)
- [34 CFR §668.49](#)
- [34 CFR §668, Subpart D, Appendix A](#)
- [USG Sexual Misconduct Policy](#)

6. RESOURCES

a. Registered Sex Offenders

Valdosta State University is providing a link to the State of Georgia Sex Offender Registry, as well as the Sex Offender Registries for all campuses. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders (already required to register in the state of Georgia) to provide notice to each institution of higher education at which the person is employed, carries a vocation, or is a student. In the State of Georgia, convicted sex offenders must register with the [Sex Offender Registry](#) maintained by the Georgia Bureau of Investigation (GBI). The GBI is responsible for maintaining this registry.

b. Reporting Crimes and Emergencies

- [Public Safety Anonymous Tip Reporting](#)
- [Emergency Response](#)
- [Campus Security Authority \(CSA\) Incident Report Form](#)

c. VSU Alcohol Policy

- [VSU Alcohol Policy for Events](#)
- [VSU Alcohol Policy for Students](#) (Appendix B Section 1.A)
- [Request to Serve Alcohol](#)



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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 Office of Legal Affairs West Hall Suite 1004 229-333-5351 Chief of Police Public Safety 1410 N. Oak St. 229-333-7816
<i>Approving Officer or Body</i>	University Council
<i>Date Approved</i>	3/29/2023
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