

EDINBORO UNIVERSITY OF PENNSYLVANIA

TIMELY WARNING AND EMERGENCY NOTIFICATION (CLERY) Policy No.: D050

Supersedes Policy F019, Dated 9/20/10
Eliminates Policy F020, Dated 09/20/10

Recommended for Approval by: Mr. Guilbert Brown, Vice President for Finance and Administration

Approved by: Dr. Julie E. Wollman, President on October 15, 2014

Review Date: As Required

I. INTENT

The intent of this policy is to enable individuals to protect themselves in the event of a criminal incident that occurs on campus and to address emergency notification when it is determined that there is a significant emergency or dangerous situation involving an immediate threat to the health and safety of those on campus.

This policy concerns two types of events: (1) significant emergencies or dangerous situations occurring on campus that involve an immediate threat to the life and safety of those present or to property; (2) reported crimes occurring on campus that represent a serious or continuing threat to the campus community.

II. POLICY

In any crisis or emergency situation, Edinboro University's overriding mission is to protect the lives and safety of the campus community and provide timely warnings to the campus community.

The University complies with the timely warning requirements under the Crime Awareness and Campus Security Act of 1990, 20 U.S.C. § 1092(f), which is also known as Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, ("Clery Act"). This policy covers crimes as defined by the Clery Act. If a crime occurs on the University's geographic location that is (1) reported to campus security authorities or local police agencies; and (2) is considered by the institution to represent a serious or continuing threat to students and employees a timely warning will be issued to the campus as soon as the pertinent information is available. Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, timely warnings will be issued when authorized by the Emergency Response Team (ERT).

EU has identified campus security authorities based on their position responsibilities for campus security and/or significant responsibility for student and campus activities. Campus security authorities (CSA) must report Clery Act crimes, which include sex offenses.

CSAs are notified by the Chief of Police, annually and in writing, of their designation as a CSA. Individuals identified as campus security authorities are as follows:

- Sworn police in the University Police Department
- Vice President for Student Affairs
- Director of Athletics
- Team Coaches
- Faculty and Staff Advisors to student groups
- Director of Residence Life and Judicial Affairs
- Resident Assistants and Residence Hall Coordinators
- Social Equity Director/Title IX Coordinator
- Director of Campus Life and Leadership Development
- Members of the Emergency Response Team comprised of the President, Provost, Vice President of Finance and Administration, Vice President for Student Affairs, Vice President for University Advancement, Director of Communications, Director of Facilities, Environmental Health and Safety Manager, and the Chief of Police.

CSAs **must** report Clery Act crimes, which include acts of sexual violence, to the University Police Department. Clery Act crimes are enumerated below.

1. Murder
2. Sex offenses, forcible or non-forcible
3. Robbery
4. Aggravated assault.
5. Burglary
6. Theft of a motor vehicle
7. Manslaughter
8. Arson
9. Hate crimes: above listed crimes 1-8, plus larceny-theft; simple assault; intimidation; and destruction, damage, or vandalism of property; and other crimes involving bodily injury to any person, in which the complaint is intentionally selected because of the actual or perceived race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, or disability of the complainant
10. Arrests (or persons referred for campus disciplinary action) for liquor law violations, drug-related violations, and weapons possession
11. Domestic violence, dating violence, and stalking incidents

In the event of an immediate threat as defined in this policy, it is University policy that public notification will be made to the campus as soon as sufficient information is available

III. DEFINITIONS

- A. **Campus** means any or all locations of Edinboro University which include the main campus in Edinboro and The Porreco College of Edinboro University in Erie.
- B. **Campus Security Authority (CSA)** is a Clery-specific term that encompasses four groups of individuals and organizations associated with an institution: (1) A campus police department, (2) Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department (e.g., an individual who is responsible for monitoring the entrance into institutional property), (3) Any individual 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 (4) 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. As such, the CSAs at Edinboro University include sworn police in the University Police Department, the Vice President for Student Affairs, Director of Athletics, Team Coaches, Faculty and Staff Advisors to Student Groups, Director of Residence Life and Judicial Affairs, Resident Assistants, Residence Hall Coordinators, Director of Social Equity/University Title IX Coordinator, Director of Campus Life and Leadership Development, and members of the Emergency Response Team comprised of the President, Provost, Vice President of Finance and Administration, Vice President for Student Affairs, Vice President for University Advancement, Director of Communications, Director of Facilities, Environmental Health and Safety Manager, and the Chief of Police.
- C. **Crisis** means an emergency situation or significant event or a dangerous situation that can have a detrimental impact on the health, safety or well-being of students, employees, guests and visitors on campus.
- D. **Emergency Response Team (ERT)** means a University team comprised of first responders and senior level administrators, whose primary purpose is to provide for the safety and security of members of the University community and for responding to incidents and emergencies that may threaten the health and safety of the campus community or disrupt University operations.
- E. **Immediate threat** means an impending or active situation or reported crime that threatens life, safety, and property such as, but not limited to, an active shooter or terrorist attack; natural disaster (such as tornado, extreme snow conditions, etc.); or environmental issues (such as gas leak, fires, etc.).
- F. **Property** means on-campus property (such as student residential facilities), non-campus property (such as remote classroom locations and other University property), or public property (such as on campus and near campus streets and sidewalks).
- G. **Reported crime** is a crime brought to the attention of a campus security authority or the local police by a victim, witness, other third party, or the offender.

H. **Serious or continuing threat** means a threat that includes, but is not limited to, the Clery crimes of

Murder

Sex offenses, forcible or non-forcible

Robbery

Aggravated assault.

Burglary

Theft of a motor vehicle

Manslaughter

Arson

Hate crimes: above listed crimes 1-8, plus larceny-theft; simple assault; intimidation; and destruction, damage, or vandalism of property; and other crimes involving bodily injury to any person, in which the complaint is intentionally selected because of the actual or perceived race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, or disability of the complainant

Arrests (or persons referred for campus disciplinary action) for liquor law violations, drug-related violations, and weapons possession

Domestic violence, dating violence, and stalking incidents

A situation, active event, or reported crime that threatens life and safety of the campus community or property. Serious or continuing threats may concern on-campus property (includes student residential facilities), non-campus property (includes remote classroom locations and other University property), or public property (includes on campus and near campus streets and sidewalks).

I. **Timely warning** means a warning or notification that is reasonably likely to reach the entire campus community as soon as sufficient information is available involving situations within this policy, such as continuing threats especially concerning safety, thereby enabling community members to protect themselves. Timely warnings may be issued for threats to property, as well as for threats to persons, and are not limited to violent crimes or crimes against persons. The issuing of a timely warning must be decided on a case-by case basis in light of all the facts surrounding a crime, including factors such as the nature of the crime, the continuing danger to the campus community and the possible risk of compromising law enforcement efforts. The University is not required to provide a timely warning for crimes reported to a pastoral or professional counselor unless there is an affirmative duty to warn that negates statutory confidentiality.

IV. **NOTIFICATION PROCEDURE**

A. The decision to issue a timely warning or emergency notification will be made on a case-by- case basis.

- B. *Prior to* a timely warning or emergency notification being issued under this policy, confirmation will be sought through the University Police Department, Environmental Health and Safety, or any other individual who may have direct information relating to the particular emergency.
- C. The decision to issue a timely warning or emergency notification and the warning/notification itself will be made by the individual or individuals authorized by the Emergency Response Team (ERT). The only exception to immediate notification will be if the notification itself would compromise efforts to assist a victim or contain, respond, or otherwise mitigate the emergency.

If ERT cannot be notified or if the University Police Chief or designee deems the situation to be so critical that immediate notification must be made, the University Police chief or designee will initiate campus notification.

- D. A timely warning(s) or emergency notification(s) will include information that promotes the safety of the campus community, allows individuals to protect themselves, and state the type of crime and any other pertinent information that is deemed necessary. The emergency notification will state the time, location, and type of incident (i.e. crime, natural disaster, environmental concern, etc.) Notification will include the nature of the emergency and what individuals are expected to do. However, any victim's (or victims') name(s) will be withheld.

A notification will be made when the threat has passed and normal activities may resume. This determination will be made by the individual authorized by the ERT.

- E. The campus notification of a crisis, emergency, or dangerous situation will be made using any or all of the following means: cellular telephone text message to those subscribed for emergency text messages; email; mass notification system; computer screen "pop-ups" to anyone logged on to the University computer network; announcements via the University's radio and/or television stations and/or preemptive "marquee" messages across campus cable television.
- F. The University will comply with all Clery Act requirements as to timely campus notifications in the event of a crime as defined by the Clery Act.

V. **FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA) AND TIMELY WARNING**

The Clery Act does not require confidentiality of educational information when reporting crimes. Although personally identifiable information is generally precluded from disclosure pursuant to FERPA, this information may be released in an emergency situation on a case-by-case basis and to the extent it is necessary to meet the needs of campus personnel to alleviate the crisis including but not limited to the University Police Department and ERT.

VI. RELATED UNIVERSITY POLICIES and DOCUMENTS

- A001 Alcoholic Beverages and Illegal or Controlled Drugs (Clery)
 - A005 University Procedures for responding to Off-Campus Student Behavior (Clery)
 - D005 Security and Access to Campus Buildings and Facilities (Clery)
 - D006 University Police Authority and Working Relationship with Other Law Enforcement Agencies (Clery)
 - D007 Fire Emergency Planning and Preparedness (Clery)
 - D049 Weapons on Campus
 - D051 Missing Person (Clery)
 - D052 Reporting and Monitoring Criminal Actions and Other Emergencies (Clery)
 - D053 University Protection of Minors Policy Handbook
 - G004 University Sex Discrimination and Sexual Misconduct Policy Handbook (*available on the Social Equity webpage*)
- Edinboro University Annual Security and Fire Safety Report (*available on the Edinboro Home Page*)

VII. CONTACT INFORMATION

Contact	Office	Address	Telephone
Chief of Police	University Police	911 Scotland Rd	814-732-2921 or 814-732-2911 (emergency)
Director of Communications	University Communications and Marketing	B05 Alumni House	814-732-1333